

International Association of Chiefs of Police

Promising Practices for Improving Safety in Indian Country



BJA Bureau of Justice Assistance
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LAURIE H. WHITE HAWK 2007

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Introduction

In 2001, the International Association of Chiefs of Police (IACP), in partnership with the U.S. Department of Justice, Bureau of Justice Assistance and other agencies of the Office of Justice Programs, and along with tribal nations from the United States convened a National Policy Summit to explore ways to Improve Safety in Indian Country. The summit brought together decision makers from every area of the criminal justice system in local, state, tribal and federal law enforcement and justice agencies.

As a result of that summit, the participants suggested 52 recommendations for improving safety in Indian country in the following six topical areas:

- Jurisdictional issues in Indian country
- Resources for Indian country justice and programs agencies
- Training and education
- Coordination and collaboration between justice agencies
- Response to victims of crime
- Prevention strategies to reduce crime

Recommendations were intended to engage every sector of society to take part in crafting and implementing change. Recommendations called for change by the federal government; tribal governments; state, federal and tribal law enforcement; federal, state and tribal courts; various program and services providers; and citizens of the United States and of all 562 nationally recognized Indian nations. If change were to happen, everyone would need to be involved.

As a second phase of the summit and recommendations, the IACP Safety in Indian Country Project began a project to bring the summit recommendations to more tribes and to explore solutions and identify collaborative promising practices in the six topic areas. In an effort to reach the most tribes, the project's advisory group selected four regions to hold regional symposia, the South West, Great Plains, North East and California. Between 2002 and 2005 partnerships were established, the four events were held, dialogue was exchanged and promising practices were identified.

Not all six topics are represented by a promising practice in this report, either because the program did not meet selection criteria, or because the program preferred not to be listed. Selection criteria were: 1) program was collaborative in nature between state, tribes, law enforcement, and/or federal government, 2) program was operational with proven successes in promoting safety and well-being, 3) program ex-

hibited sustainability, 4) program overcame obstacles and learned from failures and/or mistakes. The programs selected for this report are not all new; some have been in existence for some time. A proven track record was considered an asset in the selection process. The selection panel included IACP program staff, summit advisors, and state and federal partners.

This document records the legislative, programmatic, law enforcement and courts promising practices that are making life safer for Indian people all around the United States. Contact information for the leaders who have developed or who manage these efforts are included in the hope that these programs can be shared and implemented in many other locations around the country.

The programs cited in this report make it clear that significant progress, both in program innovation and law enforcement leadership, is being made in Indian country. Tribes continue to build strong partnerships between federal, state, local, and county law enforcement and justice agencies that are promoting and improving safety in Indian country.



Jurisdiction



Law enforcement officers working in Indian country operate within a complex jurisdictional environment where overlaps of jurisdictional authority often impacts how they carry out their duties. Among the recommendations of the 2001 Summit related to jurisdiction was:

“Tribal, federal, state, and local law enforcement agencies should pursue cross-jurisdictional cooperation whenever and however possible.”

Promising Practices on this topic illustrate how legislative clarity and cooperation between law enforcement, justice and communities can improve safety and quality of life for all residents living within their jurisdictions.



Arizona State Legislation: 13-3874 Indian Police Powers

Program Summary

State Criminal Code 13-3874 was signed into law first in 1972 and amended to its current form in 1991. The law grants full arrest authority and state certification to tribal law enforcement officers. This is a critical step in linking tribal law enforcement into state and federal information systems as well as clarifying jurisdictional authority that is still a challenge to many tribal law enforcement agencies around the United States.

Description

In 1972, Arizona tribal police chiefs worked together with State Senator Scott Alexander to gain passage of Senate Bill 1228 that granted recognition of full arrest power for tribal police officers. In 1991, tribal police leaders worked with State Senator James Henderson to pass Senate Bill 1402 that amended the original statute to cover liability issues. This process was a collaborative effort between the Arizona Tribal Police Chiefs Association, tribal leaders, the Bureau of Indian Affairs, and Arizona state senators. Arizona State Legislation 13-3874 states the following:

- A. “While engaged in the conduct of his employment, any Indian police officer who is appointed by the Bureau of Indian Affairs or the governing body of an Indian tribe as a law enforcement officer and who meets the qualifications and training standards adopted pursuant to section 41-1822 shall possess and exercise all law enforcement powers of peace officers in this state”.
- B. “Each agency appointing any Indian police officer pursuant to this section shall be liable for any and all acts of such officer acting within the scope of his

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employment or authority. Neither the state nor any political subdivision shall be liable for any acts or failure to act by any such Indian police officer.”

Coordination and Collaboration

The passing of this state statute made several improvements to law and public safety in Indian Country. Firstly, it brought parity to tribal police officers by empowering them with full arrest powers provided they meet the required standard of training. Secondly, the statute clarifies the jurisdictional authority of tribal law enforcement officers. Thirdly, the statute improves law enforcement collaboration and coordination to occur between tribes, local towns, counties and Arizona Department of Public Safety by essentially establishing them as equals. This type of law enforcement collaboration reinforces the commitment to public safety and border security by facilitating the sharing of resources without the need of additional legal agreements.

Funding

This law places no additional fiscal burden on tribes as certification by Arizona Police Officer Standards and Training is at no cost to any Arizona police agency.

Partnerships

This law has strongly promoted coordination and cooperation between tribal, state, federal and local law enforcement. It eases the process of developing intergovernmental agreements, mutual aid agreements and other types of formal and informal cooperation between law enforcement agencies. It also facilitates the sharing of critical information between justice agencies by establishing all law enforcement officers in Arizona as equals.

Impact and Outcomes

Since the passage of statute 13-3874, several collaborative efforts have been formed in Arizona between federal, state, local and tribal law enforcement.

The Indian County Intelligence Network (ICIN) was formed in 1994 and continues to be a unique model of statewide partnership between state justice agencies and all twenty-one Arizona tribes. ICIN was established to improve communication, provide training, effect positive change, and strengthen relationships between tribes and neighboring jurisdictions.

- ICIN is comprised of law enforcement executives from tribal law enforcement and corrections agencies, Bureau of Indian Affairs, Federal Bureau of Investigation, United State’s Attorney’s Office, Arizona Department of Public Safety, and other Arizona state and municipal agencies.
- ICIN meets once a month moving from one hosting location to another in Arizona.
- There are no membership dues, fees or financial obligations. Meeting rooms, training instructors are in-kind contributions by members. Members who are AZPOST General Instructors (GI) or Subject Matter Experts (SME) provide free training on a host of topics.
- There are three subcommittees dealing with specific information- sharing issues on the following topics: Interagency/Legal/Jurisdictional, Training , and Corrections.
- ICIN members understand the unique qualities of tribal law enforcement and have become leaders in promoting collaboration and coordination across justice agencies.
- The members and their colleagues are subject matter experts in a variety of areas. The members themselves arrange for or provide training on communication and technology issues.
- ICIN has provided expertise to other states that have formed their own ICIN groups in California, Nevada, Washington, and New Mexico.
- ICIN Chair: The committee members elect a chairperson each year. The current chairperson is Assistant Chief Karl Auerbach, Salt River Pima Maricopa Indian Community Police Department, 10005 East Osborn Road, Scottsdale, Arizona 85256, (480) 850-8201, karl.auerbach@saltriver.pima-maricopa-nsn.gov.

Because Arizona is a border state, the importance of collaboration and coordination of law enforcement services are increasingly important. Security of U.S. borders is a major component of Arizona tribal law enforcement agencies. Partnership between tribal, federal, state, and local agencies support interdiction activities, and increased demands on law enforcement personnel and equipment.



Flandreau, South Dakota Police Department

Program Summary

Flandreau Police Department (FPD) is the result of a merger between the City of Flandreau, South Dakota and the Santee Sioux Tribe. The City of Flandreau and the Flandreau Santee Sioux Tribe signed a Joint Powers Agreement establishing a police department with shared jurisdiction between the city and the tribe. The department of seven officers and two staff provides law enforcement for the city of Flandreau and the tribe, a population of 2,500. This merger is unique in the United States. The Joint Powers Agreement formalizes a merger that brings together a city of non-Indian people and a sovereign Indian tribe to share police powers.

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Description

In August 2000, the City of Flandreau and the Flandreau Santee Sioux Tribe developed a Public Safety Commission to review law enforcement issues and concerns. The city and tribal councils were considering a law enforcement partnership to improve public safety within the city and tribal jurisdictions. The Moody County Sheriff's Office was serving both the city and tribe; however, the city and tribe were concerned over perceived gaps in law enforcement services. The city and tribal commission's study indicated that a joint power agreement would promote intergovernmental relations and enhance public safety services. The recommendations in the partnership indicated that both entities would have control over law enforcement services with city and tribal financial contributions. The commission's

reports recognized that combining services would reduce the operational cost of law enforcement services and very possibly enhance public safety through a merger.

The FPD is approaching five years of operation. The diverse community they serve is strong in economic development, agriculture, cultural affairs, and education. The Flandreau community has a public school and a Bureau of Indian Affairs boarding school. The public school has approximately 33 percent Native American students and the Flandreau Indian School has over 400 students from 29 U.S. tribes. The Flandreau Santee Sioux Tribe owns and operates one of the premier casinos in South Dakota with over 400 employees. The FPD has effectively provided public safety services to a diverse community that continues to attract visitors for entertainment and recreational purposes.

The FPD, with Native and non-Native officers, continues to pursue excellence through a variety of training and community policing practices. FPD's effective policing is embodied by the cooperative partnership that strengthens unity and shared vision between the city and the tribe. Shared public safety initiatives between the city and tribe, promote a model to other agencies. Unified community leaders from the city and tribal government have the enthusiasm and willingness to diplomatically resolve community concerns making the FPD the only city/tribal police department in the U.S. The charter of the joint power agreement codifies a shared vision and mission between city and tribe. The effectiveness of the FPD operations is based on community policing principles of cooperation and shared respect.

The partnership between the city and tribe resulted in forming the Flandreau Public Safety Commission. The commission became the Public Safety Committee, comprised of members from the executive committee, city council, tribal council, and citizens to oversee the operations of the police department. The committee reports directly to the mayor.

On January 18, 2005, Harvard University, on behalf of the Harvard Project on American Indian Development, nominated the FPD for an Honoring the Nations Award for the year 2005. Honoring Nations is an awards program administered by the Harvard Project on American Indian Economic Development and was created in 1998. Honoring Nations identifies, celebrates, and shares outstanding examples of tribal governance across a broad range of subjects and topic areas, such as health care, education, intergovernmental relations, policy development, economic development, and resource management. The FPD is the only law enforcement program nominated to represent Native American Programs. FPD is one of only seven organizations or

programs in the U.S. recognized by Harvard and honored for innovative approaches to business.

Coordination and Collaboration

The Joint Powers Agreement that established the FPD is a positive example of coordination and collaboration between the tribe and the city. The Flandreau City Council, mayor, Flandreau Santee Sioux Tribal Council, and Public Safety Committee meet regularly. The coordination extends to education, housing, health-care, parks and recreation, economic growth, transportation, community mission and vision.

Funding

The police department is funded through a partnership between the city and tribe. Approximately 70 percent of the cost is incurred by the city and 30 percent by the tribe. Additional resources have been gained through state and federal grants as well as a cash award from the Harvard University Honors Award.

Partnership

One example of partnership between the FPD and other agencies is the creation of the Flandreau Methamphetamine Community Coalition (FMCC), formed in 2004 as a community response to concern over production, sales and use of methamphetamine in a region of the city and tribe. The mission of the coalition is:

To educate, create awareness, and seek solutions to methamphetamine and other illicit street drug use in our community.

Community leaders and members formed the FMCC in the fall of 2004 over concern about the dangerous drug (methamphetamine), and how it was affecting the community, and the State of South Dakota. Representatives from Flandreau tribal and community agencies attended the meetings along with members of the U.S. Attorney's Office and the Sisseton Wahpeton Housing Authority.

The Flandreau Santee Sioux Tribe sponsored training for the coalition members as well as all casino and tribal staff. The FMCC decided to focus not only on the methamphetamine problem in the community, but also other serious problems such as underage drinking which leads to the use and abuse of other illegal drugs.

The FMCC encourages the community's involvement and suggestions. FMCC members include: Leah Fyten, Chairperson and Executive Director for the tribe's Housing Authority; Randy Wade, Vice Chair and Flandreau Public Safety Commission member for the tribe and business owner; Rhonda Haukaas, Secretary, Advocate for the Wholeness Center (Shelter); Royal River Casino Security and Surveillance Directors; Healthy Start Program; Flandreau Police Department; City Council members; Tribal Council members; Community Counseling Center; and Social Services.

The Coalition planned and held a regional summit for tribes in North and South Dakota to bring about awareness of methamphetamine in our communities and share information with other coalitions and task forces.

Impact and Outcomes

The best indicator of the success of the FPD is status of public safety in the two communities. The merger has not been effected by change in membership to the City Council or Tribal Council. Two members of the City Council and School Board are Native American. Chief Ken James reports the following successes:

- Fewer formal complaints against law enforcement are made each year.
- Casino and public safety program cooperate effectively.
- The city endorsed the tribe's plan to enlarge the casino operations.
- Citizens of both the city and tribe support community programs.
- All crime reports are printed weekly in the city newspaper.
- The Methamphetamine Task Force has been a positive influence to reduce use in the city and reservation.
- Driving Under the Influence Initiatives have been successful in lowering DUI offenses in the city and reservation.
- The police department purchased a drug dog to assist in investigations, searches and seizures of drugs.
- The Flandreau Santee Sioux Tribe bought a fire truck for the city.
- The police department received the Harvard University Honoring Nations Award.

The leadership, collaboration and the efforts of Chief Ken James, the tribal council, city council and mayor have enhanced public safety and the quality of life for all citizens of the City of Flandreau and the Flandreau Santee Sioux Tribe.



Kansas State Senate Bill 9

Program Summary

On April 16, 2004, Governor Kathleen Sebelius signed SB 9 into law granting tribal law enforcement officers the statutory definition of law enforcement officer in the State of Kansas. Officers are required to complete the initial training and continuing education required under the Kansas Law Enforcement Training Act. Through this bill, Kansas became one of few states in the United States to grant full law enforcement authority to tribal law enforcement and further clarify jurisdictional authority of police officers in the State of Kansas.

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Description

The Kansas State Senate Bill 9 (SB 9) allows tribal law enforcement officers to “exercise the powers of law enforcement officers anywhere within the exterior limits of the tribe’s reservation” subject to the following conditions:

- The tribe must secure liability insurance coverage for damages assessed in state or federal court from acts of the tribal law enforcement agency in amounts specified in the bill.
- Claims brought against the tribal law enforcement agency must be processed as if the tribe were the state pursuant to the Kansas Tort Claims Act.
- The tribe must waive its sovereign immunity to the extent necessary to permit recovery under the liability insurance to cover mutual aid agreements.

If tribal law enforcement officers are requested to assist local or state law enforcement, the tribal officers are considered to be an officer of the agency being

assisted. The tribal agency or officer, is granted the same powers, duties, and immunities of the local or state agency during the period of time in which the tribal law enforcement agency or officer is providing assistance. This power is conferred upon tribal police officers representing the four resident tribes of Kansas: the Prairie Band Potawatomi Nation, Kickapoo Tribe of Kansas, Sac and Fox Nation of Missouri, and the Iowa Tribe of Kansas and Nebraska.

Coordination and Collaboration

Kansas Bill SB 9 was passed through the cooperation and collaboration of the Joint Committee on State-Tribal Relations, Kansas state legislature, and the four resident tribes of Kansas.

Funding

There is no fiscal impact associated with this bill or the powers it confers.

Impact and Outcomes

Kansas Bill SB 9 establishes equality between all Kansas state law enforcement for the purpose of providing mutual aid and providing law enforcement services for all residents of Kansas. As a result of the bill, jurisdictional concerns have been clarified, officer safety has been enhanced, law enforcement agencies can more effectively assist one another using and mutual aid agreements, and liability concerns are put to rest. Leadership by the public safety agencies of the tribes and state, the state legislature and Governor Kathleen Sebelius has improved the cooperative nature of law enforcement professionals in the State of Kansas and enhanced the quality of public safety by this action.



Oklahoma State Statute SB 1208

Program Summary

Oklahoma State Statute, SB 1208 sponsored by State Senator Charlie Laster and Representative Kris Steel, and signed by Governor Brad Henry in March 2004 allows the Council on Law Enforcement Education and Training (CLEET) to issue peace officer certification to tribal law enforcement officers who are commissioned by an Oklahoma law enforcement agency, who have been cross-deputized and who meet the training and qualification requirements. In addition, the statute was amended to standardize cross-deputization agreements throughout the state, simplifying and streamlining the process of interagency agreements. This legislation passed with bipartisan support.

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Description

Oklahoma law states: “All tribal police officers of an Indian tribe or nation who have been commissioned by an Oklahoma agency pursuant to a cross-deputization agreement with the State of Oklahoma or any political subdivision of the State of Oklahoma pursuant to the provisions of Section 1221 of Title 74 of the Oklahoma Statutes shall be eligible for peace officer certification under the same terms and conditions of members of the law enforcement agencies of the State of Oklahoma and its political subdivisions, except that a fee of three dollars and sixteen cents (\$3.16) per hour of training shall be charged for all basic police course training provided pursuant to this subsection...CLEET shall issue peace officer certification to tribal police officers who, as of July 1, 2003, are commissioned by an Oklahoma

law enforcement agency pursuant to cross-deputization with the State of Oklahoma or any political subdivision of the State of Oklahoma pursuant to the provisions of the State of Oklahoma pursuant to the provisions of Section 1221 of Title 74 of the Oklahoma Statutes and have met the training and qualification requirements of this section”.

Coordination and Collaboration

SB 1208 was passed through the cooperation and collaboration of the Oklahoma Association of Chiefs of Police, Oklahoma Joint Committee on State-Tribal Relations, State Senator Charlie Laster, Representative Kris Steel, Governor Brad Henry, and the CLEET director.

In August of 2003, a meeting of tribal law enforcement administrators was held in conjunction with the Oklahoma Association of Chiefs of Police Annual Meeting. The meeting addressed issues revolving around the peace officer status of tribal officers when assisting non-tribal agencies outside their jurisdiction. Tribal administrators and the Director of CLEET, the Oklahoma POST agency that certifies law enforcement officers and its legal council, attended the meeting. Law enforcement representatives from New Mexico and Kansas were also in attendance.

It became apparent that a legislative solution was needed. The Oklahoma Association of Chiefs of Police agreed to meet with legislators to apprise them of the situation. A subsequent meeting was held with the Legislative Service Bureau, that drafts bills for the legislature, the CLEET director, legal council, and tribal law enforcement administrators. Draft language for the statute was agreed upon, drafted and a bill number was assigned for the upcoming legislative session.

Throughout the process, tribal and non-tribal law enforcement agencies, tribal governments, sheriffs, and other organizations such as the Oklahoma Municipal League were apprised of the issues and proposed language for the statute. The entire effort was an inclusive one that had as its goal officer safety and improved public safety. The bill passed and was signed by the Governor in April 2004.

Funding

There is no fiscal impact associated with this bill or the powers it confers.

Impact and Outcomes

- In October 2004, the Oklahoma Association of Chiefs of Police, Board of Directors took action by recommending a full voting Board of Directors position for a tribal law enforcement representative. In January 2005, the position was passed by a vote of the full membership. The first person to assume the position was Chief Ray Anderson of the Comanche Nation Police Department.
- Partner agencies that were successful with the passage of SB 1208, then worked to simplify and streamline the deputization agreement. Due to the large number of tribal nations in Oklahoma and the need to cooperate across the “checkerboard” jurisdictional map, there existed many types of deputization agreements used by tribal agencies, state agencies and the Bureau of Indian Affairs, Office of Law Enforcement Services. The new format was submitted to the legislature in November 2005, was reviewed by the Tribal Affairs Committee of the Oklahoma Senate and House of Representatives and was forwarded to the Governor, who signed the bill.
- The Oklahoma Municipal League and the Tribal Nations of Oklahoma have developed a Tribal Dialogue Group with the express purpose to “create a forum where tribal and municipal leaders can learn from each other and discover our common vision”.

The efforts of the tribal and non-tribal leaders in Oklahoma have changed the law enforcement community for the better by establishing dialogue, understanding and legislative equity between law enforcement professionals. Public safety and homeland security efforts are improved by professional clarity and parity between officers and organizations that are now more prepared to serve and protect their constituents.



Cooperation and Coordination



The impact of collaboration and cooperation between law enforcement and justice agencies assures a more consistent application of justice for all people. Justice systems that are coordinated, or that cooperate across jurisdictional and cultural boundaries, ensure fairness and equity under the law. Among the recommendations of the 2001 Summit related to collaboration and cooperation was:

“Tribal governments should seek to improve the technology capacity of their justice systems; ultimately working toward integrated systems for information sharing between tribes; the federal government and other sources of funding should support such efforts.”

Promising Practices on this topic illustrate how tribal and state justice systems have developed for integration models or how, through information sharing at the tribal, state and local level, crime has been lowered and justice systems work more effectively.



Inter-Tribal Community Intervention Task Force of Butte County

Program Summary

The Inter-Tribal Community Intervention Task Force was formed in July 1997 by members of five tribes, state and tribal public health services, and many tribal, local, state, and federal law enforcement and justice agencies as a response to drug trafficking, suicides, family violence and sexual assaults impacting the safety of the five tribal communities and the towns surrounding them. This broad coalition continued to grow as public safety was improved. The tribal community program members and residents forged lasting partnerships with the police, justice and health providers who joined them to reduce crime and improve the safety and quality of life on the rancherias in Butte County.

The coalition between tribal and non-tribal organizations has significantly contributed to the reduction of jurisdictional rivalry and has brought historical adversaries in this PL-280 state to the policy table and improved public safety.

Description

The Inter-Tribal Community Intervention Task Force was designed to mobilize local resources to improve the health and safety of the members of local tribal communities. The task force uses a formal consensus model, maintains a routine schedule of meetings, and requires each task force committee to develop and accomplish goals each year. The task force is results oriented and is committed to building results-oriented relationships. Involvement in the task force provides many opportunities to improve individual member's understanding and

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appreciation of one another's cultural differences and in turn, enhances the communities they serve when the members bring that knowledge and awareness back to their agencies and co-workers. The multi-cultural understandings have been improved by the task force members each committing to learning about one another through presentations made at task force meetings on the following topics:

- Native American cultural and tribal life ways
- Cross training for law enforcement
- Cultural sensitivity or awareness of service needs for the Native population in Butte County
- Native American historical trauma and multi-generational post traumatic stress
- Sovereignty and law enforcement jurisdictional challenges

The task force members emphasize how trust was built with tribal members by establishing agency and personal relationships on the task force. As a result, the tribal communities relationships with county public safety and health services agencies improved and stabilized. Services to tribal communities became consistent as public safety stabilized the community life when community members supporting county, local and state police eradicated drugs and violence from the communities and eliminated fear and danger as a community norm. Positive outcomes and results continue to keep the morale of the task force high as members share a commitment to sustain the improvement of health and safety.

The tribes and public safety personnel worked together to reduce crime in the following manner:

- Community members reported drug trafficking, selling and use to police by establishing a community watch.
- Law enforcement made arrests and the Butte County District Attorney tried the cases. This removed the unwanted criminals from the communities.
- County health providers were no longer afraid to enter the rancherias and services were once again provided.
- Tribal council members joined the task force, became involved, visible and supportive.
- Community members developed trusting relationships with public safety officials and health workers. They shared their culture and beliefs with one

another helping the non-Indians to understand and work cooperatively and successfully within the family and community structure.

- Truancy was dramatically reduced as family life stabilized.

Coordination and Collaboration

Through the commitment of the original members of the task force, the collaboration between agencies and representatives strengthened and community life improved. Success of the partnerships attracted additional member agencies onto the task force. Commitment by the leadership of member agencies set the tone that built the broad partnership and made it effective at all levels of their individual organizations. This leadership was a key element in the successful outcome of this collaboration. Members of the task force include the following individuals, groups, and agencies:

Federally Recognized Tribes

Berry Creek Rancheria
Chico Rancheria
Enterprise Rancheria
Mooretown Rancheria

Non-Federally Recognized Tribe

Konkow Valley Band of Maidu
Indians

Elected Officials

Butte County Supervisor Jane Dolan (Chico)
Butte County Supervisor Bob Beeler (Oroville)
Tribal Council members of each tribe

Behavioral Health Agencies

Butte County Behavioral Health
Feather River Tribal Health
Behavioral Health
H.E.R.E. (Homeless Emergency
Runaway Effort)
Paradise Counseling Center

Health Agencies

Butte County Public Health
Feather River Tribal Health
Northern Valley Indian Health
Oroville Hospital

Law Enforcement/ Public Safety Agencies

Butte County District Attorney
Butte County Fire Department
Butte County Office of Emergency
Services

Butte County Probation
Department
Butte County Sheriff

Butte Interagency Narcotics Task
Force
California Department of Forestry
California Department of Parks &
Recreation
California Highway Patrol
Chico Rancheria Housing Security
Enterprise Rancheria
Environmental Protection Office
Feather Falls Casino Security
Gold Country Casino Security

Social Services Agencies

Berry Creek Rancheria ICWA &
Social Services
Butte County Adult Services
Butte County Children's Services
Butte County Social Services
Butte County Children's Services-
Foster Care Licensing
For the Children Advocacy

Victims' Services Agencies

Butte County Domestic Violence Unit
Catalyst
Feather River Tribal Health FOCIS Program
Rape Crisis

Youth & Education

Butte Community College
Butte County Office of Education
California State University, Chico-
School of Social Work
Central Middle School
Chico Boys & Girls Club
Chico Unified School District- Safe
Futures Program

Mooretown Rancheria Emergency
Services
Mooretown Rancheria Enforcement
Mooretown Rancheria
Environmental Protection Office
Mooretown Rancheria Gaming
Commission (Feather Falls
Casino)
Northern Circle Indian Housing
Authority
Oroville Police Department
United States Forest Service

Community Action Agency
Feather River Tribal Health Family
Resource Center
Mooretown Rancheria ICWA &
Social Services
Northern Valley Catholic Social
Services
Southside Family Resource Center

Feather River Tribal Health- Bear
Dreamers
Feather River Tribal Health- Na
Nom Pem
Four Winds of Indian Education
Healthy Start Regional Program
Hearthstone Charter School
Helen Wilcox School

Youth & Education (cont.)

Las Plumas High School
Oroville High School
Palermo Elementary School
Palermo Unified School District

Parent Education Network
Private Industry Council
Valley Oaks Children's Services
Y.M.C.A.

Funding

The Butte County and Inter-Tribal Task Force is funded by in-kind contributions from each partner agency as well as grants from the following agencies:

- Substance Abuse and Mental Health Services Administration (SAMHSA) Community Action Grant Programs
- California Endowment Grant
- S.H. Cowell Foundation Grant

Partnerships

Members of the task force are listed above.

Impact and Outcomes

Successful outcomes of the task force show positive change between tribes and the criminal justice system that impact public safety, the courts, public and family health, economic growth, and cooperation between the tribal communities and the county.

- Improved trust in and cooperation with law enforcement and the courts.
- Improved relationship with County District Attorney that results in prosecution of more tribal cases and support for community and law enforcement training about the preservation and protection of Native American artifacts.
- Developed Casino alcohol policy with the California Highway Patrol.
- Participation for police in the Tribal children and youth programs.
- Training in cultural competency training for county and private providers. More than 300 agencies participated.
- Founding of Tribal Emergency Management Agency (T.E.M.A.).
- Formed Tribal Emergency Response Commission (T.E.R.C.).

- Established volunteer fire departments.
- Increased Academic success of Butte County Native children.
- Introduced the Feather River Tribal Health Family Resource Center, during a Community Picnic & Safety Fair. This public safety-community project promoted utilization of mental health and public health services to the tribes.
- Started two SAMSHA Community Action Grant Programs.
- Obtained a California Endowment Grant of \$500,000 to fund the Feather River Tribal Health Family Healing Circle to reduce domestic violence, sexual assault, and improve parenting skills.
- Obtained a S.H. Cowell Foundation Grant of \$500,000 to fund the Feather River Circles of Care Family Resource Center.
- Certification of tribal foster homes rather than going through county foster family agencies that strengthen family life and community.
- Creating a better environment for families, children and business investment by renovating houses damaged by drug/alcohol abuse.

The effect of the task force has first and foremost reduced crime and violence in the represented Native communities and improved public trust in law enforcement through effective cross-jurisdictional agreements that form a seamless public safety delivery system. Family life and public health are stable and improved resulting in greater economic growth in each tribal community.

Individuals continue to participate from all four federally recognized tribes in Butte County, in partnership with members representing all the county, city and private nonprofit agencies that provide behavioral health, law enforcement, the courts, social services, victim's services, youth services and education. This coalition is a model of effective partnership that has grown and sustained over many years because of the commitment of the partners and the positive outcomes brought about by this strong task force.



California Attorney General's Office of Native American Affairs

Program Summary

CA Attorney General Bill Lockyer established Office of Native American Affairs on March 1, 2009. The office was the first of its kind in the history of California State government. The office develops and maintains cooperative relationships between California's Indian tribes, tribal organizations, Indian citizens, and the California Department of Justice (CADOJ). The office coordinates with the appropriate DOJ and other intergovernmental services, programs, and technical assistance for Indian communities as they address the broad spectrum of justice-related issues.

The Office of Native American Affairs also advises the CA Attorney General on matters of importance to tribal governments and Indian citizens, and assists DOJ with the development of Indian-related policies, positions, and programs.

Description

The Office of Native American Affairs (ONNA) serves as liaison and address justice-related issues for California's Indian citizens who reside on reservations, rancherias, and in urban communities for the overall improvement of the quality of life for Indian people.

The goals for the office include the following:

- Examine the justice-related needs of Indian people of California and provide technical assistance in the preparation of plans for the alleviation of such needs.
- Coordinate mutually beneficial intergovernmental cooperation between tribal governments, the CADOJ, and appropriate local, state or federal agencies.

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- Consult with tribal representatives on the development of CADOJ policies, positions, and cooperative programs between tribes and the department.
- Act as liaison between the CADOJ, local law enforcement and tribal law enforcement.
- Review and recommend a CADOJ legislative agenda, which promotes the health, safety, and welfare for California's Indian citizens.
- Promote greater understanding and improved relationships between Indians and non-Indians by advancing an awareness of the justice needs of Indians of the State of California.

Coordination & Collaboration

In 2000, ONAA convened collaborative meetings between Tribal and non-Tribal law enforcement that resulted in recognition of the need for a statewide summit. The first statewide summit was held in November 2000. Cooperation and collaboration between state, local, and tribal law enforcement initiated by the meetings around SB 911, a bill that proposed California peace officer power for tribal police, inspired ONAA to hold a second summit in 2002, convened by California DOJ, ONAA, tribes, and the International Association of Chiefs of Police. The summits built understanding, cooperation and collaboration between tribes, state and local law enforcement. ONAA also facilitated a Tribal and State Justice Summit in 2005 and is currently planning an event for fall 2006. Over the past six years, the ONAA has continued to build relationships between law enforcement and justice agencies, across the 107 California tribes and between the tribal, local, state and federal counterparts.

Funding

The ONAA is funded through the California Attorney General's office.

Partnerships

The ONAA continues to promote understanding and cooperative relationships between tribal, local, state and federal justice agencies to improve coordination of services and understanding between Indian and non-Indian people. The ONAA coordinates activities between the California Attorney General's Office, the California Police Chief's Association, California State Sheriffs Association, the Alliance of California Tribes, individual tribal governments, California Tribal Chiefs Association,

county prosecutors, United States attorneys, county, state and local criminal justice agencies and Tribal service providers.

Impact & Outcomes

- Held a statewide law enforcement summit in November 2000 bringing together state, local, tribal and federal law enforcement and justice representatives to establish a dialogue and begin to resolve misunderstandings.
- ONNA acts as liaison between law enforcement and the tribes. Tensions between state law enforcement, sheriffs, and tribal law enforcement have lessened as dialogue between the parties improved.
- ONAA works with all stakeholders to define the pertinent issues for legislation.
- Senator Richard Alarcon sponsored bill – SB 911 that addressed the deputization of tribal law enforcement officers, ensuring state Peace Officer Standards and Training (POST) certification, and access to California Law Enforcement Telecommunications System (CLETS). Unfortunately, the bill was pulled from committee in January 2002 because of a dispute over tribal sovereign immunity.
- The 2002 Tribal and State Justice Summit - Promising Practices was planned and convened with over 300 in attendance.
- Tribal law enforcement police chiefs formed an association to support professional development and continued efforts to gain state recognition and certification of tribal officers.
- In Siskiyou County, ONNA developed the Coalition of Understanding between Siskiyou County and Quartz Valley Indian Reservation. This is a Tribal & justice agency-based collaborative group that focuses on the reduction of domestic and community violence.
- ONNA assisted the development of the Lassen County and Tribal Collaborative Group. This is a tribal and justice agency cooperative group that includes the Lassen County Sheriff's Department, Lassen County District Attorney, California Highway Patrol, Probation Department, Susanville Police Department and the Susanville Indian Rancheria. The goal is to build the relationship between the rancheria and the surrounding community, with an emphasis on law and order issues.
- The Pit River Tribe, the Shasta County Sheriff's Department, Probation, District Attorney, California Highway Patrol, and other justice agencies began forming

their own collaborative group and are working together to address a number of justice related issues.

- ONAA worked with the Riverside Sheriff's Office to develop and implement a Native American Cultural and PL 280 curriculum for the state's justice agencies. The curriculum was piloted in an eight-hour block during the Riverside Sheriff's Cadet Academy and Advanced Officer Training courses. After positive reviews, the ONNA is now engaged in promoting the curriculum to justice agencies across the state. The course is POST certified familiarizing the attendees with Native American perspective and history, then highlights the role of state certified police officers enforcement of California state laws in Indian Country.
- ONNA is currently building collaboration between state agencies and tribal governments to address issues concerning EPA, Fish & Game, medical/mental health services, alcohol, roads and drug prevention, etc.
- ONAA is now working with tribes and other state agencies in California to review issues related to the compliance of the federal Indian Child Welfare Act.
- ONAA, under the auspices of a state grant, is preparing a report that will address the topic of Native American domestic violence, sexual assault, stalking and dating violence.



Inter-Tribal Integrated Justice Pilot Project

Program Summary

The Inter-Tribal Integrated Justice Pilot Project is a U.S. Department of Justice, Office of Justice Programs (OJP) multi-year project designed to increase information sharing among tribes and between tribes and other jurisdictions, and to promote justice information sharing in Indian country. The tribes involved in the pilot include the Navajo Nation, the Pueblo of Zuni and the Hopi Tribe. The National Center for Rural Law Enforcement, a campus of the University of Arkansas System, was selected to manage the project.

The purpose of the project is to provide Navajo, Hopi, and Zuni justice agencies with a technology infrastructure that will increase more effective sharing of information within the tribes; to establish an infrastructure that will facilitate inter-tribal integration; and to provide basic technology training and end-user training that will encourage efficient use of the systems and support sustainability.

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Description

With the growth of the Department of Justice Global Justice Information Network (Global), the Bureau of Justice Assistance and the American Indian and Alaska Native Affairs meet with over 40 tribal and federal representatives to identify how best to work with Indian Country on justice information sharing. The response was to: 1) begin with a pilot project, 2) provide a training and technical assistance for Indian tribes, and 3) ensure tribal representation on national initiatives. Global has tribal

representation on its national advisory committee and its technical working groups. Two national training events on tribal crime data and information sharing have been held and the Tribal Technology and Information Sharing Outreach Program (\$500,000) was made available to tribes for a broad level of assistance such as technology assessments. The Inter Tribal Integrated Justice Pilot Project continues to provide further evidence of tribal needs to participate in a seamless national justice system.

To promote integration efforts, a technology summit was presented on each reservation. The tribal technology summits brought together community leaders, council members, and other prominent stakeholders. Approximately 10-15 participants from each tribe attended. The project was planned in three phases: 1) an internal tribal integration focused on design and implementation of information sharing between agencies and systems within each tribe, 2) inter-tribal integration focused on design and implementation of information sharing between tribes, and 3) finally phase three, the integration and sharing of information among tribal, local, state, and federal agencies.

Phase I: Intra-Tribal Integration

- Establish or enhance governance structures and enhance multi-jurisdictional support
- Enhance criminal justice information laws, policies, procedures, and practices
- Establish technical architecture, direction, and standards
- Enhancement and installation of technology infrastructure
- Provide training and technical support

Phase II: Inter-Tribal Integration

- Allow tribes to share information

Phase III: Integration with Local, State, and Federal Agencies

A foundation of the project design was building government-to-government relationships through respect and inclusion of the tribal governments and participants at various levels of each tribal organization. The National Center for Rural Law Enforcement (NCLRE) staff began by meeting with the three pilot tribal officials to discuss the issues involved in the integration effort and the approaches of the project. Any initiatives undertaken by the project would require full support of the tribal

councils, civic leaders, tribal members and other stakeholders. With that understanding, the project team began by initiating the following activities:

- **Survey:** An on-site technology survey was conducted in 35 locations, with the assistance of over 200 tribal members that helped to identify common barriers faced by the tribal agencies.
- **August 2000 Forum:** A total of 41 participants representing the three tribes gathered in Window Rock, Arizona, with NCLRE staff for a forum to discuss integrated technology (IT) infrastructure needs, information sharing, and building a business plan. It became evident that utilizing new technologies in Indian country was not a matter of overcoming tribal customs and beliefs, but of making the integration and expanded use of technologies compatible with those customs and beliefs.
- **Criminal Justice Summit:** A summit held in Kayenta, Arizona, on March 19-21, 2001, helped to develop a comprehensive strategy to foster coordination, collaboration and communication among the various criminal justice service providers needed to enhance safety in the Navajo Nation.
- **Presentations and Briefings:** NCLRE and/or the OJP American Indian and Alaska Native Affairs Desk have presented before either the Tribal Councils or briefed incoming Tribal Administrations.

During Phase I, the project teams created the technical infrastructure necessary for an integrated data system between all three tribes. Tribal government and justice system leaders agreed to give NCLRE staff full access to their facilities. The following initiatives were met:

- Established or enhanced governance structures and enhanced multi-jurisdictional support.
- Enhanced criminal justice information laws, policies, procedures and practices.
- Established technical architecture, direction and standards.
- Enhanced and installed technology infrastructure.
- Provided technical training and support.
- Developed networks in ten different towns in Arizona and New Mexico encompassing 48 criminal justice agencies.
- Purchased and installed 200 workstations, 40 switches, 38 wireless data systems, and complete network cabling for the three tribes.

- Conducted fundamental computer training for 90 tribal law enforcement personnel, and advanced technical network administration courses were provided for tribal computer personnel.

Phase II began the technological integration of all three tribes. A computer platform was established that would integrate the information systems for the three tribes, local, state, and federal government agencies. NCLRE staff assured that all contractors used on the project would follow tribal customs, policies, and procedures. The three tribes along with the NCLRE team met with the technology and systems personnel of Arizona and New Mexico to ensure that developed systems would be compatible.

Phase III will fully integrate tribal justice information with local, state, and federal systems.

Funding

U.S. Department of Justice, Bureau of Justice Assistance has supported this multi-project with \$2.2 million for phase one and the beginning of phase two.

Partnerships

- U.S. Department of Justice, Bureau of Justice Assistance, and the Office of Community Oriented Policing Services are the funding agencies.
- U.S. Department of Justice, Office of Justice Programs, American Indian and Alaska Native Desk provided coordination during the concept, initiation and implementation phases, as well as, leverage funding resources.
- National Center for Rural Law Enforcement is the lead agency on the project.
- Hopi Tribe leadership.
- Navajo Nation leadership.
- Zuni Tribe leadership.

Impact and Outcomes

This project has proven that integration of shared information within tribes and between tribes and the states in which they reside is both possible and worthwhile. In order for Indian country to be an equal partner in improving safety in Indian country, they require an equally technological infrastructure, training and development. Due to

the challenges of infrastructure development in Indian country, the project has provided both a baseline reality of those real challenges and confirmed that government-to-government consultation is an effective way to do business across jurisdictions and cultures. This project illustrates the success of government-to-government consultation, of building policy and procedure in partnership with tribal leadership, justice providers and project personnel, and finally how that system can promote safety by sharing information.

Tribal justice networks being developed between the tribes will share law enforcement, corrections, probation, prosecution/defense, juvenile services, courts, transportation, and Fire/EMT information. Training and capacity building will result. Data entry through the networks will include the areas of criminal case histories, background checks, police reports, probation lists, sex offender registry, warrant lists, court orders, and corrections data on inmates.

Tribes also identified a need for upgrading fingerprint and photograph software, geographical information systems, computer-aided dispatch and global positioning system. Every area of the criminal justice systems within and between tribes will soon be connected and functional. This capacity and function of information sharing between the three tribes will be a model for all of Indian country.

Tribal leadership priority designation and policy and procedure development are essential to the participation of tribes in the national law enforcement databases. Through this project, the tribes and federal representatives have learned that a priority designation is necessary to coordinate justice agencies across tribal government and a primary point of contact should be identified (such as a Chief Information Officer). Equally important is the development of policy and procedures of how information will be managed and shared within and between systems yet maintain privacy with secured information systems. To underscore the credibility of its systems, tribes must also wrestle with how it will address tribal employee who mismanages information.



Riverside County Sheriff's Native American Affairs Commission

Program Summary

In 2002, a Sheriff's Office Departmental Directive established The Riverside County Sheriff's, Native American Affairs Commission. The purpose of the Commission was to improve communication between law enforcement and tribal leaders and tribal members. Each of the twelve tribes living in Riverside County appointed a primary and alternate tribal council member to sit on the commission. Once the letters of appointment were received the Sheriff swore in the commissioners at the first meeting in June 2002.

The driving force for establishing the commission was a mutual desire to improve safety for the tribes in Riverside County. Before the commission began, there was no formal avenue by which tribes and the sheriff's office could communicate, problem-solve, share information, and build good relationships. Each of the twelve tribal chairman as well as Sheriff Larry Smith, and later, Sheriff Bob Doyle have supported the efforts of the commission. Leadership at the top of each organization set a precedent of cooperation that has moved to all levels of the organizations.

Description

The Native American Affairs Commission is comprised of two representatives from twelve tribal councils, the sheriff, executive officers, assistant sheriff for field operations, two chief deputy sheriffs, ten captains, ten lieutenants, support staff, and occasionally the district attorney. The members of the commission elect the chairman. Currently, the chair is Pehanga Tribal Chairman, Mark Maccarro. For the first three years the commission met each month. It now meets semi-annually. The meeting location rotates between each tribal office and the sheriff's office. The sheriff's office

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personnel develop the meeting agenda with input from the tribal representatives. The Sheriff's office provides the food, meeting support materials, and covers staff related expenses.

There is one sub-committee, the Tribal Safety and Security Committee consisting of tribal police chiefs, tribal casino security directors, ten sheriff's captains, ten lieutenants, and some sergeants. This committee meets each month to share information on tribal security, gaming and other related crimes. Both committees follow Robert's Rules of Order and votes are cast on each issue. The meetings are open to the public and are advertised so that communities have notice. Minutes are recorded and staff follows up on the action items as appropriate. Action items are then added to the old business of the next commission meeting.

Among the topics addressed by the Commission are the following:

- Law enforcement jurisdictional complexities of Public Law 280.
- Tribal sovereignty and the role of the sheriff's office on tribal lands.
- Contracting for additional law enforcement services by the sheriff.
- Indian youth and gang issues.
- The impact of alcohol and drug abuse on tribal lands.
- Native American cultural competency training for sheriff's deputies.
- Improved understanding of tribal law, culture, history and tribal government by the sheriff's office personnel.

Coordination and Collaboration

The Native American Affairs Commission includes the following tribes:

- | | |
|-----------------|-------------------|
| ■ Cahuilla | ■ Aqua Caliente |
| ■ Soboba | ■ Torres-Martinez |
| ■ Cabazon | ■ Morongo |
| ■ Ramona | ■ Colorado River |
| ■ Santa Rosa | ■ Pechanga |
| ■ Pauna & Yuina | ■ Pala |

Funding

The Native American Affairs Commission is supported by the Riverside County Sheriff's Office and in-kind support by each member tribe for transportation to the meetings.

Impact and Outcomes

The Native American Affairs Commission provides a direct link between the tribal governments and the sheriff's office. This link improves communication between the members of the sheriff's office, tribal governments, and tribal members. All parties on the commission agreed upon the design of law enforcement policy and procedure for the tribes. The implementation of law enforcement services on the tribal lands has become more coordinated and effective because of the commission. The enhanced communication within the commission helped to solve misunderstandings and disagreements at the first stages thus preventing further problems between law enforcement and the tribal members. Enhanced communication built better relationships and trust between all parties of the commission.

- One of the major accomplishments of the commission was the design and implementation of a state certified Police Officer Standards and Training (POST). Tribal Law Enforcement Issues Course for all new sheriff's deputies. The course includes tribal customs, tribal government, and the impact of Public Law 280 on tribal, state, and federal law enforcement jurisdiction.
- All ten sheriff's office field commanders are on a first name basis with the patrons they serve.
- The tribal members call the sheriff's office regularly to discuss issues of mutual concern.
- A Best Practice in Government Award was given to the Commission by the California Attorney General.
- After the second year the Riverside Board of Supervisors duplicated the commission model within other non-Indian jurisdictions.

In the future, the commission hopes to continue to improve the member's communication, cooperation, and mutual education. Through continued partnership, the goal is to improve safety in Riverside County for all tribal inhabitants.



Resources 3

Recent studies suggest have that tribal law enforcement, courts, prosecutors, detention facilities and tribal programs all operate within a resource environment that is far smaller that their non-Indian counterparts. Among the recommendations of the 2001 Summit related to resources was:

“ Congress should legislate changes in programs so that more programs provide direct funding to tribal governments, which honors the government-to-government relationship and limits the problems with pass through funding from the states.”

Promising Practices on this topic illustrate how tribes, states, local communities and the programs they manage have successfully cooperated or designed inclusive programs to expand delivery of resources and services to improve safety and security, health and wellbeing in Indian country.



Gallup, New Mexico Alcohol Safety Program

Program Summary

In 1988, the Albuquerque Tribune dubbed Gallup, New Mexico as “Drunk Town USA” drawing local and national attention to a problem plagues many tribal communities in Indian country. The National Institute on Alcoholism Alcohol Abuse identified McKinley County, where Gallup is located, as having the highest composite index of alcohol-related problems of U.S. Counties. Between 1975 and 1985, McKinley County experienced chronic alcoholism at a rate nineteen times the national average, alcohol-related traffic accidents at seven times the national average, and deaths from alcohol-related causes at four times the national average. A 2002 Indian Health Service report identified American Indians and Alaska Natives die from alcoholism at nearly eight times the rate of Americans generally.

Leadership from the Navajo Nation, Zuni Pueblo, City of Gallup, and McKinley County joined forces to address these complex problems in a united, comprehensive, and respectful way. From their efforts, the Na’nizhoozhi Center, Inc. (NCI), a holistic alcohol abuse prevention and treatment center, was established. Within six years, Gallup experienced a 50 percent drop in homicides and 42 percent drop in alcohol-related deaths.

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Description

Gallup, a town of 21,000 residents is adjacent to the Navajo Nation, the Zuni Pueblo, Acoma and Laguna Pueblos. On weekends, the population soars to well over 100,000 as residents from the surrounding areas with strict no-alcohol laws flow into Gallup's 61 bars and liquor stores. Gallup residents observed alcohol consumption resulting in alcohol-related problems like aggressive panhandling, motor vehicle accidents, and homicides. Gallup public officials were perplexed as to how to address the problem. Leadership from the Navajo Nation, Zuni Pueblo, City of Gallup, McKinley County, and Indian Health Services joined the State of New Mexico to discuss what could be done to change this complex problem. Establishing a comprehensive, culturally responsive alcohol treatment program was considered as a first step. Fixing blame was not an option, finding a solution was. The collaborators wanted to design a program that would promote the healing of the Indian alcoholic population, improve relationships between Indian and non-Indians, and strengthen the entire region.

With the partnership between Gallup Mayor, Ed Munoz, Rehoboth McKinley Christian Hospital Chief Executive Officer, Dave Conejo, and the hospital's Chief of Pathology, Dr. Tom Carmany built a core group committed to community change by asking, "How long are you willing to step over bodies?" Soon the core group began meeting with elected officials, tribal leaders, schools, parents, health providers and representatives of the liquor industry. Within the next six months, a tragic traffic accident would galvanize the newly formed coalition and put it on the road to dramatic change. The public's outrage over the death of Jovita Vega, a three-month old infant who died with her family from a DUI traffic accident, compelled leaders and citizens from all the surrounding communities to march to the capitol, Santa Fe, and demand legislative change.

As a result of the demonstration, three major legislative actions were taken.

- The state legal blood alcohol level was lowered to 0.8.
- All drive-through liquor sales were eliminated by statute.
- A 5 percent local liquor excise tax was imposed that generated \$650,000 yearly to be used for alcohol treatment that established the NCI facility. Na'Nizhoozhi, a Navajo term meaning "bridge" is a culturally appropriate treatment center in Gallup formed from the Gallup Alcohol Crisis Center.

In 1992, the Navajo Nation, Zuni Pueblo, City of Gallup, McKinley County, and Indian Health Service leaders joined the State of New Mexico and jointly applied and received an \$850,000 grant to begin operation of the NCI to address the alcohol problem in McKinley County and the City of Gallup.

The Na’Nizhoozhi Center, Inc. (NCI) is an alcohol treatment center that provides services for publicly intoxicated persons in Gallup. NCI offers alcoholism prevention programs, shelter, and treatment for intoxicated persons, and provides follow-up care for alcoholics. One of the most important aspects of the treatment protocol is that clients and staff are defined by the Navajo clan system philosophy, or Nahasdlii, which provides an inter-tribal cultural context for the clients to understand the world from a Native American perspective and defines the way people treat one another at the Center. The NCI follows a continuum of care model that offers a variety of treatment options to meet each individual’s needs including the following:

- Detoxification
- Intensive three-day intervention therapy
- A 15-day shelter program for clients who require structured daily activities
- A 28-day adult residential treatment program during which clients are taught self-sufficiency skills in a culturally and spiritually appropriate setting
- Outpatient services
- Job placement
- Ancillary care
- Aftercare services with a home-visitation program

Outpatient services are available to detoxification and residential treatment graduates. The Center is a no-fee, minimum-security facility with 150 beds. Eighty percent of NCI clients are court ordered protective custody placements by tribal, city, or county law enforcement.

The NCI focuses on the problem of alcoholism as it arises but also works to stop alcohol abuse before it starts. The program works closely with the community, through schools and churches, to raise awareness about alcoholism. The program is culturally based and takes notice of alcohol related trends occurring in Gallup so as to provide the best service to their clientele.

Coordination and Collaboration

The formation and success of this project is a direct result of collaboration between city officials, tribal leaders, public health officials and citizens of all the communities. In 1989, the March of Hope: Journey for Jovita (named for an infant killed in a traffic accident that began the movement) left Gallup with over a dozen marchers. Ten days later the number of marchers totaled over 2,000 as they met at the New Mexico State Capital in Santa Fe with a reform package to present to Governor Gary Carruthers. The march brought attention to the problem of alcohol in Gallup and elsewhere in the State of New Mexico. The NCI collaborated with local governments, the City of Gallup, the mayor, McKinley County government, Navajo Nation, the people of the community, and surrounding pueblos to provide programs, public service ads promoting health and alcohol treatment. The NCI also works with the Center for Disease Control and the New Mexico Highway and Transportation Department to better overcome the problem of alcohol abuse.

Funding

The Na’Nizhoozhi Center, Inc. (NCI) has been supported by a variety of funding sources from its beginning to the present day. In listing these grants and resources, it should be noted that funding partners have supported NCI because of their strong community partnerships, the quality of their work, and the progress they have made to reduce crime and addiction in the Gallup, New Mexico area. Development of funding resources can be considered as outcome measures of success, but are listed here for the sake of clarity for readers.

- A five percent local liquor excise tax that generates \$675,000 per year for local prevention, treatment, and education programs.
- A seed money grant of \$300,000 was given to design a facility to replace the “drunk tank” of the Gallup Jail.
- With a \$ 3.2 million grant from the Robert Wood Johnson Foundation, a Fighting Back Program was initiated that focused on rural, intercultural treatment strategies that resulted in:
 - Specialized services for Native women at risk of having children with Fetal Alcohol Syndrome
 - Juvenile inhalant treatment program
 - Developed a Management Information System (MIS) for case management

- The Navajo Nation secured a five-year grant from the Center for Substance Abuse treatment designed to improve access to treatment services throughout the reservation.

Impact and Outcomes

The public education efforts in NM, and the March of Hope in particular resulted in the following outcomes:

- All drive-up liquor windows were closed.
- A statute was passed banning open containers of alcoholic beverages in automobiles.
- Driving while intoxicated (DWI) arrests are up by four percent.
- In 1999, 18,000 adult clients were served by NCI, 80 percent male and 20 percent female. 17,500 clients completed detoxification, 450 graduated from the 23-day residential program and 150 clients graduated from the DWI school.
- Within six years of the establishment of NCI there has been a 50 percent drop in protective custody admissions and 33 percent drop in alcohol related emergency room visits in Gallup.
- During the first six years of the program in Gallup there has been a 59 percent drop in alcohol-related accidents, a 50 percent drop in homicides, and a 42 percent drop in deaths involving alcohol.
- The New Mexico Alcohol Issues Consortium has adopted McKinley County's policies for statewide replication.
- Pueblo of Zuni established prevention and treatment services.

Keys to NCI's success include the following steps:

- Develop culturally relevant treatment and intervention models
- Use culture as a resource
- Create partnerships
- Build aggressive coalitions
- Use the media

The success of the initiatives put in place through the collaborative leadership of the tribes, city, state, law enforcement and public health, the Na'Nizhoozhi Center, Inc. continues to be an example of success and compassion, a bridge, for an entire region and the nation.



Nebraska Minority and Justice Task Force/Implementation Committee

Program Summary

The Minority and Justice Task Force was established in 2001 by the Nebraska Supreme Court and the Nebraska State Bar Association to examine and identify real or perceived biases in the justice system when dealing with minorities and then to make recommendations to the Nebraska Supreme Court to remedy any inequities. It examined issues of racial and ethnic fairness within four major areas including:

- Personnel and employment practices of the courts
- Access to the courts
- Civil, criminal and juvenile justice
- The legal profession

The task force was comprised of 33 members from throughout Nebraska, including judges, attorneys, and members of Nebraska's many ethnic communities. In 2003 the task force released its final report, which presents the task force's findings. The Minority and Justice Implementation Committee was then established as a permanent committee of the Nebraska State Bar Association and the Nebraska Supreme Court designed to execute the recommendations of the Minority and Justice Task Force.

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Description

The task force produced a 250-page final report in January 2003 that included 150 findings and recommendations for the implementation committee including:

- Minorities have less trust in the justice system. Efforts must improve confidence in the courts.
- Juries do not accurately reflect the racial and ethnic diversity of Nebraska. Jury pools need to be expanded to ensure diversity.
- At every level of the state's court system minorities are underrepresented. The courts should adopt goals to diversify the workforce.
- Too few minorities apply to law schools. Law schools need to do more to attract minority students and faculty.
- Nebraska's legal profession is not reflective of the state's ethnic diversity. Law schools and law firms must broaden their recruiting and hiring criteria to improve the likelihood of hiring minority candidates.

Coordination and Collaboration

The implementation committee, a group consisting of 40 legal, court and civic leaders, was charged to manage and implement the task force's recommendations to improve the court system statewide. Both the task force and implementation committee members represent all the components of the court system and include members of Nebraska's ethnic communities. The Nebraska Supreme Court and the Nebraska State Bar Association founded the initiative on the basis of inclusion, transparency, and communication.

Funding

The task force's research and administration were funded through grants from the State Justice Institute. The implementation committee is sustained through funds from the Nebraska State Bar Association and project specific grants.

Partnership

The task force and the implementation committee represent partnerships from throughout the Nebraska court system at all levels, the criminal justice field, Native

American and civic organizations representing ethnic communities. The list is included below.

Members of the Minority and Justice Implementation Committee

Co-Chairs:

Linda R. Crump, Esq., Equity, Access & Diversity Programs UNL

Hon. John M. Gerrard, Nebraska Supreme Court

Committee:

Hon. Edna Atkins, Douglas County Court

Valorie Bendixen, Clerk of the District
Court for Hall County

Judy Beutler, Administrative Office of the
Courts

Riko Bishop, Attorney at Law

Dean Patrick Borchers, Creighton
University School of Law

Ellen Fabian Brokofsky, State Probation
Administrator

Hon. Vernon Daniels, Separate Juvenile,
Court Douglas County

Judy Gaiashkibos, Nebraska Commission
on Indian Affairs

John Grant, Attorney at Law

Robin Hadfield, Nebraska Supreme Court

Anne Hobbs, Nebraska Equal
Opportunity Commission

Cecilia Huerta, Nebraska Mexican
American Commission

Hon. John Irwin, Nebraska Court of
Appeals

Dennis Keefe, Lancaster County Public
Defender

Hon. Richard Kopf, U.S. Courts

Kate Mahern, Milton Abrahams Legal
Clinic

Natalie Malmberg, Certified Court
Interpreter

Carlos Monzón, Attorney at Law

D. Milo Mumgaard, Nebraska Appleseed
Center

Liz Neeley, PhD, University of Nebraska
Public Policy Center

Nicole Neesen, Attorney at Law

Hon. Marlon Polk, Douglas County
District Court

Jim Rembolt, Attorney at Law

Harold Rock, Attorney at Law

Mohammed Sadden, Attorney at Law

Jane Schoenike, Nebraska State Bar
Association

Anna Williams Shavers, University of
Nebraska, College of Law

José Soto, Southeast Community College

Hon. Robert Steinke, Platte County
District Court

David Stickman, Federal Public Defender
Lt. Col. Darrell Fisher, Nebraska State
Patrol
Alan Tomkins, Public Policy Center
Hon. Ken Vampola, Dodge County Court
Terry Waite, Attorney at Law
Janice Walker, State Court Administrator

Linda Willard, Nebraska Attorney
Generals Office
Dean Steven Willborn, University of
Nebraska, College of Law
Mark Young, Hall County Attorney

Impact and Outcomes

The recommendations from the task force final report have been taken by the implementation committee, studied and acted upon to effect real change in the Nebraska Court System. For a complete list, view the Committee's website http://www.nebar.com/publicinfo/minority_justice.htm, and review each year's progress reports.

Some of the impact and outcomes include the following:

- **Legal and Diversity Summit:** This summit held in April 2005 provided law students of color from the region with new knowledge and contacts to pursue an interest in seeking employment in Nebraska after law school graduation.
- **Nebraska Legal Diversity Website** (www.nelegaldiversity.org): Designed to showcase the growing diversity in Nebraska while providing a unique view of what Nebraska has to offer to law professionals.
- **University of Nebraska, College of Law Pre-Law Institute:** The Institute targets students who are traditionally underrepresented at the University of Nebraska, College of Law. For the past three years, the Institute has provided students with an introduction to legal study, analytical and writing demands, exposure to the many roles of the law, instruction on the process of applying to law school and obtaining financial aid.
- **Program for “How to Apply for a Judicial Vacancy”:** In an effort to promote diversity in the judiciary, the implementation committee sponsored a session on how to apply for a judicial vacancy.
- **Recommendations for Improving Diversity:** The Nebraska Administrative Office of the Courts, the Nebraska Juvenile Court Judges Association, the Nebraska County Court Judges and the Nebraska District

Court Judges Association all voted to adopt the Minority and Justice Implementation Committee's recommendations and action plan for increasing diversity in the court system.

- **Indian Law:** The Committee co-published a special issue in Indian Law in the Nebraska State Bar Association's monthly magazine to educate attorneys on the legal issues faced by Native Americans. The issue addressed: the Indian Child Welfare Act, business transactions with tribal governments and enterprises, Indian Nation sovereignty, the historic Standing Bear Trial, and a primer on practicing in tribal courts.
- **Representative Juries:** The implementation committee championed legislation to regularly update jury pools and, in May 2003, the Legislature passed a new law mandating annual updating of lists of residents eligible for jury service, meaning that Nebraska's juries are now closer to representing diverse communities. The Committee also assisted with the passage of legislation that allows for a full examination of how current systems of jury compilation may be improved to include minorities.
- **Equal Access to Bail Bond:** In smaller counties where language interpreters are not available on a daily basis, non-English speaking defendants were sometimes detained without being advised of their right to post bond. In an effort to ensure equal access to the bond system, the implementation committee developed bilingual forms designed to provide information on defendants' rights while in custody and the procedures for posting bond.
- **Jury Education Project:** The implementation committee is undertaking a statewide campaign to educate and promote jury service among Nebraska's minority communities.

Improvements have been made in the areas recommended by the final report: diversity in the profession, diversity in the workforce, access to justice, and addressing disparities in the criminal and juvenile justice systems.



New Mexico State Department of Indian Affairs

Program Summary

In 1953 the New Mexico State Legislature created the Commission on Indian Affairs by state statute. The statute also established the Office of Indian Affairs (OIA), a state agency, which would be a mediator and liaison between the state's governor, the legislature and the 22 Indian Pueblos, Tribes and Nations. In June 2003, Governor Bill Richardson signed Executive Order No. 2003-022 moving the (OIA) to a cabinet-level department and appointed a Secretary of Indian Affairs. In April 2004, Governor Richardson signed House Bill 39 elevating the OIA to a cabinet level Indian Affairs Department (IAD) by statute.

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Current New Mexico State Cabinet
Secretary of Indian Affairs:
Benny Shendo, Jr.

Description

IAD's mission is to take the lead in improving the quality of life for New Mexico Indian citizens by affecting New Mexico state policy that strengthens tribal-state relations. These efforts will be achieved by the following objectives:

- Being a professional and stable organization.
- Providing quality resources that include education, training, and information.
- Effectively managing and administering state allocated funds.

The IAD defined these goals to meet their objectives:

- Establish internal policy and procedures that improves communication, provides staff development and growth, and insures a stable organization.

- Provide information, education, training, technical assistance, and efficient administration of state allocated funds to tribes that builds and strengthens their capacity to meet the needs of their communities.
- Initiate and facilitate partnerships between tribes and state governmental entities that maximize efforts to meet the needs of their constituents.

IAD focuses its work on two key programs/units. The first is the Policy Unit charged with leading and assisting in the development of Indian policy and planning for the state. Additionally, the Policy Unit works with its sister state agencies to improve and promote the quality of life for New Mexico's Indian citizens through providing services, education, training, and by sharing information with tribal and urban Indian communities. The Capital Outlay Unit manages and administers state allocated funds for tribal projects. Tribal projects include major infrastructure projects such as electrical power line extensions, health facilities and wastewater systems that raise the standard of life and promote economic development in tribal communities.

Coordination and Collaboration

New Mexico's IAD is a unique agency in the United States. Although many states in the U.S. have Indian Commissions and other forms of tribal representation, few, if any, enjoy the advantage of being a cabinet department in the governor's office. The IAD is a result of the leadership of Governor Bill Richardson and the tribal leaders of the 22 Indian Pueblos, Tribes and Nations. Through their leadership and support, the State of New Mexico now has established has a unique and important department that can assist in providing a voice and representation for tribal law enforcement and justice issues at the state level.

Funding

IAD receives an annual appropriation from the legislature to carry out its programs, duties or services and to coordinate activities at the state level on behalf of all tribes in New Mexico. Additionally, IAD's Capital Outlay Unit oversees significant projects such as water and wastewater projects, power line extensions, community centers, equipment, law enforcement centers, and many more. Effective administration of capital outlay funds translates directly to improving the quality of life for Native American citizens and tribal communities throughout New Mexico.

Partnerships

The IAD coordinates activities to ensure a Native voice in the design and implementation of all statewide activities between all justice and other agencies. IAD is a bridge between all state departments and the 22 Indian Pueblos, Tribes, and Nations of New Mexico providing the opportunity for effective and planned coordination between tribes, urban Indian community, the state and local communities on all areas of mutual concern.

Impact and Outcomes

Governor Bill Richardson and the 22 tribal leaders signed a Statement of Policy and Process, which recognizes the sovereignty of the tribal nations while still engaging in communication. The Statement of Policy and Process states the governor and Indian Nations, tribes and pueblos “agree to establish procedures setting the framework to coordinate a cooperative and joint effort to address issues identified by the governor, Indian Nations, tribes and pueblos, to seek mutually beneficial solutions and outcomes, and to avoid litigation”. The importance of the Indian voice at the state cabinet level and support by the governor cannot be understated. The coordinated efforts of the Secretary of Indian Affairs have promoted a number of statewide initiatives such as the following:

- **New Mexico Driving under the Influence (DUI) Initiative:** This is a historic partnership between the state and tribal judicial and law enforcement systems that effectively shared DUI information between tribes and the state. This program supports the appropriate shared information of drinking driver offenses so that offenders may be stopped before they bring harm to others.
- **Indian Education Act:** The intent of the Act is to improve educational opportunities for Native Americans by:
 - Ensuring equitable and culturally relevant learning environments.
 - Ensuring maintenance of native languages.
 - Providing for the study, development and implementation of educational systems that positively affect the educational success of Native Americans students.
 - Ensuring that the Department of Education partners with tribes to increase tribal involvement and control over schools.

- Encouraging Four Corners States to cooperate and coordinate educational leadership to address Navajo children in those states.
- Improving coordination between state and Bureau of Indian Affairs educational division.
- Ensuring that tribes are notified of curricula development.
- **Tribal Infrastructure Fund:** The IAD collaborated with state representatives to craft legislation that would ensure that the infrastructure of Native communities was brought into parity with other communities through the investment in infrastructure systems such as: water, power lines, and road improvement. The legislature passed and Governor Richardson signed House Bill 868 to provide a mechanism to address the long-standing barriers to infrastructure development in tribal communities.
- **Capitol Outlay Priorities:** The IAD has requested that all New Mexico tribes send the Department their capital outlay priorities. The Secretary of Indian Affairs has recommended state appropriations to fund these tribal priorities.
- **Indian Representation at the State Level:** Over 65 Native Americans serve in various New Mexico cabinets, commissions, and boards.
- **Statewide Tribal Consultation Policy on the Protection of Sacred Sites and Repatriation:** This policy requires the state to consult with Nations, tribes and pueblos to ensure the protection of sacred places.
- **Pilot Tribal Consultation Plan:** An executive order to explore models of government-to-government relations that will be effective in the state to deal with education, health, labor, health and human services, tourism, transportation, and other issues of shared importance
- **Park Management:** President of the Navajo Nation Joe Shirley Jr. and Governor Bill Richardson signed a memorandum of understanding to establish a partnership between the New Mexico State Parks Division and the Navajo Parks and Recreation Department to collaborate on planning and design of parks and recreation projects, marketing, tourism, public education, and other park management.



Spirit Lake Nation Recovery and Wellness Program

Program Summary

The Spirit Lake Nation Recovery and Wellness Center provides comprehensive alcohol and drug treatment for Native Americans and non-Native Americans in North Dakota. The center offers intensive out patient treatment and residential treatment along with individual, group and family counseling, alcohol and drug education, aftercare treatment, anger management, and domestic violence counseling. There are culturally oriented sweat lodges available for Native clients. The center's program provides comprehensive screening, alcohol, drug and DUI evaluations and seminars for new clients, and alcohol and drug testing of clients during treatment and aftercare services.

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Description

The Spirit Lake Recovery and Wellness Center is committed to a community prevention and treatment approach to recovery and wellness for substance abusing clients and their families. From assessment through treatment and aftercare, the center provides wrap-around services to the client and their families, ensuring promising outcomes by providing culturally relevant services in a respectful environment.

The 20-bed facility provides inpatient and outpatient services for both women and men. Services include a four-five week short-term residential treatment that includes a 60-90 day aftercare program, intensive outpatient treatment services, and low intensity

outpatient services that deliver classes like domestic violence prevention and anger management. During the 60-90 day aftercare program the center staff also helps prepare clients to find employment, housing and jobs once they have finished their treatment. The wellness center works contractually with the U.S. Probation and Pre-Trial Services to provide treatment and aftercare services for released offenders who are returning to their communities. For tribal clients, the center works cooperatively with tribal courts, tribal law enforcement, Indian health services and other service providers.

The center receives referrals from the U.S. Probation and Pre-Trial Services and the North Dakota Department of Corrections. Client reporting and tracking procedures provide reporting for client referral agencies based on state certification standards. These reports track completed and continuing clients then provide after care evaluations during follow-up visits with clients. Three licensed addiction counselors, one addiction counselor intern, a clinical social worker, office manager and support staff staff the intensive outpatient treatment program. The Residential program staff includes a program coordinator, four house managers, four assistant managers and a cultural services specialist. All treatment staff is trained in CPR and first aid.

Coordination and Collaboration

The Wellness Center Program works closely with health service providers within the Spirit Lake Dakota Sioux Nation, and with local and national referral agencies. Among the tribal, local and national referrals, the Wellness and Recovery Center partners with the following:

- Tribal Court
- Tribal Law Enforcement
- Spirit Lake Health Services
- Indian Health Services
- U.S. Probation and Pre-Trial Services
- North Dakota Department of Corrections
- State of North Dakota
- Medicaid
- Private Insurance

The center also works with the U.S. Probation and Pre-Trial Services to help individuals, upon completion of the program, find employment and housing. The center works cooperatively with tribal courts, tribal law enforcement, Indian health services, and other service providers.

Funding

- State of North Dakota
- Medicaid
- Private Insurance
- U.S. Department of Corrections
- U.S. Probation and Pre-Trial Services
- Substance Abuse and Mental Health Services Administration

Partnerships

Through partnerships and collaboration the center is sustained and supported by the following partners:

- Indian Health Service
- Spirit Lake Dakota Sioux Nation
- State of North Dakota Department of Corrections
- U.S. Department of Health and Human Services
- U.S. Probation and Pre-Trial Services
- U.S. Department of Corrections

Impact and Outcomes

The culturally relevant treatment services and Native treatment staff impact the successful outcomes of the Native clients served by the center. Coordination within the tribe of services to families and children help sustain positive treatment outcomes over the long-term. Patient services include anger management, family counseling and domestic violence prevention counseling. The comprehensive service approach helps improve positive outcomes for clients on probation or parole. Transition back into the community is made easier by job skill and placement services for clients. Non-Native clients receive the same level of services and support in a culturally sensitive environment that welcomes people of all backgrounds and ethnicity.

One of the recent challenges for the center has been the increase of methamphetamine addiction. Center treatment staff received additional training and treatment protocols to deal more effectively with methamphetamine addiction. The additional time needed to produce successful outcomes for methamphetamine-addicted clients has greatly challenged the center and strained resources. In the future, the center plans to implement an improved treatment model with an extended treatment program for methamphetamine users.



Training and Education

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Training and education of Indian country’s public safety officers, though often consistent with their counterparts, calls for improvement in in-service, task force and other specialty training. Cross-cultural training is critical if improved understanding is to be fostered and relationships built between tribal, state, federal and local law enforcement officers. Among the recommendations of the 2001 Summit related to training and education was:

“ All agencies and organizations involved in training Indian country law enforcement and criminal justice practitioners must help ensure that those who need the training have access to it.”

Promising Practices on this topic illustrate how tribal, state, and local justice systems have designed or shared programs and/or training to meet the needs of those for whom the need is greatest. These are examples of innovation programs that have success because of the collaborative approach they take.



New Mexico Tribal-State Judicial Consortium and the Cross-Court Cultural Exchange

Program Summary

The Tribal-State Judicial Exchange grew out of efforts of the New Mexico Court Improvement Project, a New Mexico Supreme Court project to improve judicial handling of child abuse and neglect cases. In 1997, the Court Improvement Project Task Force created a Tribal-State Relations Committee to encourage communication and understanding between tribal and state courts, specifically addressing the issues of full faith and credit, comity, jurisdiction, and the best interest of the child as they pertain to child abuse and neglect, juvenile justice and delinquency, custody, divorce, child support, and domestic violence. From this beginning, the Tribal-State Judicial Consortium was formed to support the coordination of justice policy and procedure between state and tribal courts. As a result of relationship building and dialogue between state and tribal court judges, more and more efforts to educate, collaborate, and cooperate began to take shape. Improved understanding between the judges enhanced coordination of efforts to support families and children across jurisdictional boundaries.

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Court Improvement Program
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Consortium Co-Chairs:
Judge Theresa Gomez Bernalillo
County Metropolitan Court
Judge Sharon Begay
Chief Judge Zuni Pueblo

Description

The Court Improvement Project Task Force created a Tribal-State Relations Committee. This committee designed and implemented the Tribal-State Judicial Consortium, a collaborative of judges who were willing to lead their respective

organizations into dialogue, collaboration, and change for the benefit of families and children in Indian Country. Within four years, tribal and state judges were sitting down together to dialogue, explore and share together their concerns about how the jurisdictional challenges of Indian Country was negatively impacting families and children in Indian Country. From the leadership of just a few judges came a nearly annual event, the Tribal-State Judicial Exchange, a conference of judicial, law enforcement and social services leaders who have successfully impacted the way business is conducted between tribal and state courts improving safety in Indian country.

Coordination and Collaboration

In 1998, the chief justice of the New Mexico Supreme Court, the president of the Colorado-New Mexico Indian Court Judges Association, and the Navajo Nation Supreme Court each appointed representatives to a new Tribal-State Judicial Consortium. The mission of the consortium is:

To address questions of jurisdiction and sovereignty, focusing at first in the areas of domestic violence, domestic relations, custody, child support, neglect, juvenile justice, and perhaps expanding into the other areas of law in the future.

- Goals of the Tribal-State Judicial Consortium:
- Facilitate communication between state, tribal and judicial systems.
- Improve awareness and develop information about the different judicial and legal systems in the state, tribe and pueblos.

The implementation of these goals resulted in the following:

- The first Cross-Court Cultural Exchange held in March 2000 began a dialogue between state and tribal courts and social services. The exchange was a result of a partnership between the Crownpoint District Court of the Navajo Nation Judicial Branch and the State of New Mexico's 11th Judicial District Court. The event was attended by over 80 participants and proved successful in exploring solutions to judicial cooperation.
- The second exchange was held in October 2001. This event broadened the dialogue to include representatives of New Mexico tribes, pueblos, state and federal justice agencies, family and children's services, and state courts.

- In 2003, New Mexico Chief Justice Petra Maes joined with the Indian Country Law Enforcement Section of the International Association of Chiefs of Police and the U.S. Department of Justice, Office of Justice Programs to hold the third exchange: The Four Corners Tribal, State and Federal Judicial and Law Enforcement Exchange. This conference consisted of workshops and plenary sessions that explored judicial challenges, identified promising practices, and explored solutions and recommendations for arrest, prosecution and adjudication.

In October 2004, the 12th Judicial District and the Mescalero Apache Tribal Court hosted the 5th Annual Cross Cultural Exchange. A highlight of this event was the welcome given by Mescalero Tribal President Mark Chino and a visit to the Mescalero Reservation where local children from the Headstart Program performed traditional Apache dances.

Funding

The Tribal-State Judicial Consortium is funded through the New Mexico Administrative Office of the Courts and the various programs it manages. Many programs and activities by the courts have been sustained through cooperative partnerships and state grants.

Partnerships

Partnerships are a hallmark of the Tribal-State Judicial Consortium. The Consortium within the Administrative Office of the Courts, has built many strong partnerships within the state, neighboring states, the International Association of Chiefs of Police and the U.S. Department of Justice, Office of Justice Programs. The Judicial Information Division of the Administrative Office of the Courts and the New Mexico Traffic Safety Bureau entered into a cooperative relationship to develop four projects:

- **New Mexico Driving while Intoxicated (DWI) Court Monitoring Program:** This provides consistent Judiciary-wide DWI reporting methods to state agencies, the public and tribes by enhancing and monitoring the accuracy, integrity and effectiveness of data dissemination offenses filed in the courts.
- **DWI in New Mexico Web page:** The Web page contains DWI dispositions and other information for the public.
- **DWI Offender History Database:** This source provides centralized information on DWI prior conviction data.

- **Statewide Traffic Records System:** This statewide multi-departmental effort facilitates the sharing of key information to coordinate traffic records information, quality issues, and jointly implement solutions.

Without the cooperation and leadership of the New Mexico Judiciary, few if any of these projects would be successful.

Impact and Outcomes

The consortium accomplishments include the following four areas:

Enhancing Collaboration & Communication:

- The exchanges resulted in a workshop on Cross-Deputization of Law Enforcement Officers. This effort designed agreements and training for tribal and state officers that provide cross-jurisdictional powers.
- The Full Faith and Credit Project, which works with the Navajos and the 19 pueblos around issues of domestic violence, held a meeting to discuss some of the issues raised at workshops during the Cross-Court Exchanges.
- The New Mexico State Supreme Court invited Crownpoint tribal court judges to observe Supreme Court and Court of Appeals hearings.

Clarifying Law:

- The Consortium invited Senator Leonard Tsosie and then Senator Pederson, along with representatives from the Children, Youth and Families Department, to provide clarification of the procedures for implementing the 1999 Full Faith & Credit legislation. The area of juvenile justice was the focus along with required intergovernmental agreements and the domestication of tribal court orders.

Educating Tribal Agencies and State Agencies, and Judiciary:

- The Consortium invited representatives from the Navajo Child Support Program, the New Mexico Human Services Department, and the Child Enforcement Division to discuss Federal Title IV-D funding and the creation of joint powers agreements between the agencies.

Developing Policy and Procedure:

- The Consortium created a committee to draft and propose a Rule for Civil Procedure.

The judicial partners who comprise the Tribal-State Judicial Consortium continue to build success and plan for future improvements between state and tribal courts that benefit the quality of life for families and children.



San Diego County Sheriff's Tribal Liaison Program

Program Summary

The San Diego County Sheriff's Office, Valley Center/Pauma Sub-Station began providing enhanced law enforcement services for the Pala tribe in the late 1990's, but the program was discontinued due to lack of financial resources. In 2001, when the tribe's casinos were completed, the Pala and Rincon tribes both contracted with the San Diego Sheriff's Office to reinstate this successful program. Contracted sheriff's deputies provide patrol and investigation services exclusively to the tribes. The tribes purchase the law enforcement services using multi-year contracts agreed to by the tribes and sheriff's office and approved by the San Diego County Board of Supervisors. The Pauma/Yuima, La Jolla, Barona and San Pasqual tribes are also considering contracts with the San Diego County Sheriff's Office for law enforcement services using this model.

This liaison program is unique in that the deputies work exclusively for the tribes utilizing a community-policing model of service delivery on the reservations that promotes relationship building between tribal residents and the deputies. Each tribe's residents informally mentor the deputies by teaching them about their tribe and its people. The deputies make a concerted effort to be respectful of the tribe's culture and beliefs so that understanding is promoted between the tribe and the deputies who protect them.

Description

The contract deputies program is a cost recovery program in that the tribe pays for the cost of service and the sheriff's office provides the service without profit. Each tribe purchases the patrol vehicles for the deputies and the sheriff's office equips

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them. Although several of the tribes have casinos, some tribes contract separately for security services. The deputies are not responsible for the casino law enforcement services, but they do meet monthly with the casino directors to determine criminal activities pertaining to the casinos.

In an effort to sustain good relationships with tribal members, the deputies attend tribal council meetings, community meetings, Indian health council and other tribal service provider meetings. The tribal councils arrange cultural competency training for the deputies who continue to learn each tribe's culture by engaging with tribal members and youth.

Coordination and Collaboration

This program is a contractual relationship between two sovereign California tribes, the County of San Diego Board of Supervisors, and the San Diego County Sheriff's Office. Law enforcement coordinates services to the community by involving themselves in the community life, activities and meetings. The success of the program is built upon trust and good relationships. Tribal councils, deputies and tribal members work cooperatively to promote safety within the five reservations.

Funding

Each participating tribe funds the Tribal Liaison Program. A multi-year contract is formed between the tribe and the San Diego County Sheriff's Office for law enforcement services.

Partnerships

The following tribes have contracted with the San Diego County Sheriff's Office to provide law enforcement services through the Tribal Liaison Program:

- Pala Band of Mission Indians (currently two deputies)
- Rincon Band of Mission Indians (currently three deputies)

In addition, the San Diego County Board of Supervisors approves the contracts and supports the Tribal Liaison Program.

Impact and Outcomes

This Tribal Liaison Program is a model in the southern California area of a good working relationship between tribes and the county sheriff's office. In this Public Law 280 state, where tribal, state, and federal law enforcement jurisdiction can be challenging at best, the liaison program has been successful by building rapport and improving safety in the tribal communities.



Appendices



Appendix A

Ordinance No. 480

An Ordinance Providing for a Public Safety Commission and Police Department

BE IT ORDAINED BY THE CITY OF FLANDREAU, SOUTH DAKOTA, THAT TITLE 3 BE ADDED TO ITS COMPILED ORDINANCES FOR THE PURPOSE OF PROVIDING FOR A PUBLIC SAFETY COMMISSION AND POLICE DEPARTMENT.

TITLE 3 – PUBLIC SAFETY COMMISSION

Chapter 3.01 – PUBLIC SAFETY COMMISSION

3.0101 – Creation. There is hereby created and established in and for the City of Flandreau, South Dakota (City) a Public Safety Commission (Commission) for the purpose of establishing, administering and supervising a police force for the purpose of enforcing all laws and ordinances under its jurisdiction, for providing protection of the general public and, in the event that the City has an agreement with the Flandreau Santee Sioux Tribe (FSST) to provide law enforcement services, then it shall enforce the laws and ordinances of the FSST.

3.0102 – Composition and Appointment. The Commission shall be composed of nine (9) members. No person employed by the City as a law enforcement officer, or any member of that person's immediate family, shall be a voting member of the Commission. The members of the Commission shall be appointed by the Mayor with the consent of the City Council, provided that, if by written agreement with FSST they shall have representation on the Commission, then the number of persons to be appointed by the City shall be reduced accordingly. All City appointees shall be residents of the City. The manner of appointment and the qualifications of the appointees by FSST shall be determined according to their rules and regulations.

3.0103 – Terms. The members of the Commission shall be appointed for terms of three (3) years. Initially the terms shall be shortened and staggered to provide for renewal of terms at different times by providing for one-third to be appointed for one year, one-third for two years and the remainder for three years. The Commission shall determine the manner in which the initial terms shall be determined.

3.0104 – Removal and Vacancy of Members. Any member of the Commission appointed by the City shall be subject to removal by the majority vote of the entire membership of the City Council, after recommendation of removal by the Mayor. In the event of vacancy in any membership on the Commission caused by death, resignation or otherwise, such vacancy shall be filled by appointment

by the Mayor with the consent of the City Council except and unless the vacancy was in a position that had been filled by the FSST, and in that event, the FSST shall determine how the vacancy shall be filled.

3.0105 – City Council Liaison. The Mayor, with the consent of the City Council, shall appoint a member of the City Council to act as a non-voting liaison member of the Commission to facilitate communication between the Commission and the City Council. If by agreement the FSST shall be appointing some of the membership of the Commission, then the FSST, if desired, appoint another person as a non-voting liaison member of the Commission to facilitate communication between the Commission and FSST.

3.0106 – Meetings. The Commission shall hold regular monthly meetings at a time and place to be established by it. Special meetings may be called at any time by the Chairperson of the Commission by giving 24 hours advance notice to all other members including the Council liaison member. A quorum shall consist of five (5) members.

3.0107 – Organization. The members of the Commission shall elect from among themselves one person to serve as Chairperson, one to serve as Vice-Chairperson and one to serve as Secretary. Each office is held for one (1) year and the initial terms shall expire at the end of the second calendar year that the Commission is organized.

3.0108 – General Authority. The Commission shall have the power and authority to superintend, manage and control the police department within the budget approved by the City Council. The Commission will have opportunity to review and provide input for the preparation of said budget annually. The City Council is to be kept informed of all expenses and any financial obligations to be incurred which are not budgeted for. No financial obligation or expense may be incurred until approved by the City Council and the FSST if it has an agreement with the City for law enforcement.

3.0109 – Personnel Authority. The Commission shall have the authority to recruit, hire and supervise an appropriate individual to serve as the Police Chief, with the approval of the City Council and, if the City has an agreement for law enforcement with FSST, with approval of the FSST. The Chief of Police shall supervise the personnel of the police department.

Chapter 3.02 – POLICE DEPARTMENT

3.0201 – Member. The Police Department shall consist of the Police Chief and such number of police officers as may be necessary for the enforcement of all laws and ordinances under its jurisdiction, for the protection of the general public, and for enforcement of all laws of the FSST if it has an agreement with the City for law enforcement.

3.0202 – Chief of Police. The Police Chief shall provide leadership, direction and management of the Police Department and shall be under the supervision of the Public Safety Commission.

3.0203 - Appointment of Police Department.

a. The members of the Police Department shall be selected and employed by the Police Chief with approval of the Commission. The Police Chief shall have charge of the Police Department and each of the Police Officers shall serve under the Chief's direction and control or, in the case of the absence of the Chief, any other Officer designated by the Chief.

b. Each Police Officer when on duty shall wear some insignia of the office in a conspicuous place, unless the circumstances are such that it is not necessary or there is good reason not to have the insignia displayed.

3.0204 – Duties of Police Officers. The Police Chief and all officers serving in the Department shall possess all powers conferred by State Law and will generally have the responsibility to suppress disorder, keep the peace, enforce all laws and ordinances under its jurisdiction and the laws of the FSST if it has an agreement with the City for law enforcement, and perform other duties requested by the Commission, City or FSST if applicable.

3.0205 – Personnel Policies. The Police Chief and all other employees of the Department shall be subject to the Personnel Policies of the City.

Warren D. Ludeman
Mayor, City of Flandreau

ATTEST:
R. Smith
Finance Officer

FIRST READING: September 5, 2000

SECOND READING: September 18, 2000

ADOPTED: September 18, 2000

PUBLISHED: September 20, 2000



Appendix B

Joint Powers Agreement for Law Enforcement Services

THIS AGREEMENT is entered into the date shown below by and between the City of Flandreau, South Dakota, herein referred to as the City, and the Flandreau Santee Sioux Tribe, herein referred to as FSST. This Agreement is entered into as authorized by South Dakota Statute SDCL Chapter 1-24. The FSST enters into this Agreement under the authority of Article VIII, Section 1(f) of its Constitution and By-Laws.

The purpose of this Agreement is to enter into a Joint Powers Agreement to provide for joint law enforcement services for the City and FSST through the Flandreau Police Department in accordance with and subject to the terms of this Agreement. The written terms and provisions of this contract shall supersede all prior verbal statements of any representative of the parties and such statements shall not be effective or be construed as entering into, forming a part of, or altering in any manner whatsoever, this contract.

THE PARTIES AGREE AS FOLLOWS:

1. The Flandreau Police Department shall provide law enforcement services for all lands within the boundaries of the Flandreau City and on all trust lands under the jurisdiction of FSST, said services to include but not necessarily be limited to keeping the peace, enforcing State Laws and City Ordinances on non-trust land, and enforcing FSST laws and ordinances on trust land. Except as otherwise stipulated, the Flandreau Police Department shall furnish all labor, equipment, facilities, and supplies required to provide general law enforcement services to the City and FSST required under this Agreement.

2. All persons employed by the Flandreau Police Department in providing general law enforcement services to the City and FSST shall be City officers or employees, and they shall not have any benefit, status, or rights as an FSST employee.

3. The FSST shall not be liable for the direct payment of salaries, wages, or other compensation to Flandreau Police Department officers or employees providing services under this Agreement.

4. The FSST shall not be liable for indemnity to any Flandreau Police Department officer or employee for injury or sickness arising out of his/her employment in providing general law enforcement services to FSST.

5. The services of the Flandreau Police Department to be performed hereunder, shall not be assigned, sublet, or transferred to any other corporation or organization without the written approval of the FSST.

6. The term of this Agreement shall be effective immediately upon execution by the parties, through December 31, 2001, and shall be automatically renewed thereafter provided that either party may terminate this Agreement and each party's obligations hereunder upon giving one hundred eighty (180) days' written notice of its intention to do so.

7. FSST and the City agree to share in the costs for services described herein as follows:

7.1 FSST agrees to pay thirty percent of the operating budget for the Flandreau Police Department with the City paying the balance thereof. The City shall serve as the financial administrator for the Flandreau Police Department and shall submit a voucher to FSST for thirty percent of actual expenses incurred by it during the remainder of the year 2000. Thereafter, for the calendar year of 2001, the FSST shall pay the sum of \$6,027.37 per month to the City payable on the 1st of each month, during the term of this Agreement. Said amount was arrived at by dividing the proposed operational budget (provisional budget) for fiscal year 2001 of \$241,095.00 by 12 months and taking that figure times thirty percent. If after the year 2001 and each calendar year thereafter it is determined that the actual costs of operation were less than the amount budgeted, then a credit shall be given FSST for the difference thereby providing that FSST will not pay any more than thirty percent of the actual operating costs. Said credit shall either be refunded to FSST or credited to future payments required to be paid by FSST in the event this Agreement is extended, whichever FSST prefers. FSST will not have to pay any more than thirty percent of the budgeted amount unless extraordinary and unanticipated expenses are incurred which cause the total expenses to exceed the amount budgeted, and then only if the extraordinary and unanticipated expenses are deemed necessary by both the City and FSST and recommended by the Flandreau Public Safety Commission referred to hereinafter.

7.2 The FSST shall pay for thirty percent of the actual expense incurred for start-up expenses including additional motor vehicles and equipment that will be necessary to properly equip the Flandreau Police Department. The City will submit a voucher to FSST for its share of those costs and payment therefore shall be made by FSST within thirty days thereafter. In the event that this Agreement is not renewed, then upon termination of this Agreement the City shall have the option to purchase the interest of FSST in any equipment or other assets for which they have made a contribution to the purchase price, said price to approximately equal the then fair market value. In addition, FSST will be entitled to be reimbursed their proportionate share of any funds remaining in a depreciation account at the time of termination.

7.3 In addition to the qualifications and training required by the State of South Dakota, all officers shall be given paid time off to attend training in federal and tribal laws and issues and shall meet the minimum requirements of the Bureau of Indian Affairs in order to serve as a federal officer on Tribal lands. FSST agrees to assume responsibility for arranging for and paying the cost of that training including all out-of-pocket expenses associated therewith except the wages or salary which will continue to be paid by the Flandreau Police Department. Such training shall be scheduled at times agreed to by both parties. Both parties intend that such training be conducted locally if at all possible so as to minimize the amount of time that the officer is away from the community. If the training is for such a length of time that it will be necessary to employ additional officers to provide

law enforcement coverage under this Agreement, such training will not be scheduled unless and until the parties agree upon how the additional officers will be compensated.

8. The Flandreau Police Department, in connection with providing law enforcement services to FSST on Trust lands, shall proceed as follows:

8.1 Shall be responsible for responding to and investigating all crimes committed on Tribal Trust lands regardless of any questions involving jurisdiction. The Police Department shall work cooperatively with the Federal Bureau of Investigation and any investigators from the Bureau of Indian Affairs or the FSST Criminal Investigator.

8.2 Any time there is a felony committed or a report of criminal activity that may constitute a felony, the Police Department shall immediately report the matter to the Federal Bureau of Investigation.

8.3 Said Department shall prepare and file quarterly reports with the FSST describing law enforcement activities and services provided to FSST under this Agreement. Said reports shall be prepared on forms provided by the FSST.

9. A PUBLIC SAFETY COMMISSION will be created for the purpose of establishing, administering and supervising the Flandreau Police Department. The membership of the Board shall be nine (9), five of whom shall be appointed by the Mayor and confirmed by the City Council, and four of whom shall be appointed by FSST according to its rules and regulations. Said Commission shall be established by City Ordinance which shall provide for the number of members to be appointed by FSST as provided for by this or any subsequent Agreement.

10. This Agreement is effective as of the last date signed by the parties.

CITY OF FLANDREAU FLANDREAU SANTEE SIOUX TRIBE SOUTH DAKOTA

By: _____

By: _____

Its: _____

Its: _____

(DATE)

ATTEST:

City Finance Officer

(SEAL)

(DATE)



Appendix C

Executive Order 2002-01.2 North Dakota Commission on Drug and Alcohol Abuse

WHEREAS, the abuse of drugs and alcohol in North Dakota represents a significant issue for the citizens of North Dakota; and

WHEREAS, substance abuse continues to plague the State with a host of social ills, including adult and juvenile crime, fetal alcohol syndrome, interference with the education of our children, domestic violence, work performance, traffic fatalities and erosion of the family structure within our society; and

WHEREAS, coordinated policies and programming are necessary to successfully deal with the causes and effects of drug and alcohol abuse; and

WHEREAS, programs dealing with education, treatment, prevention, and prosecution of substance abuse offenses, related criminal activity, victims, concerns and domestic violence are located in numerous agencies; and

WHEREAS, these programs are often without effective coordination and clear policy guidance; and

WHEREAS, the Governor and Attorney General recognize the need to coordinate the many programs and agency efforts to combat substance abuse; and

WHEREAS, the Governor and Attorney General will facilitate a statewide program to reduce alcohol and drug abuse, to coordinate prevention, education and law enforcement activities, and to establish clear policy guidance in the substance abuse area.

NOW THEREFORE, I, John Hoeven, by the virtue of the authority vested in me as Governor of the State of North Dakota, do hereby:

I. Establish the North Dakota Commission on Drug and Alcohol Abuse, appointed by the Governor, consisting of the following members, who serve at the pleasure of the Governor:

- One representative of the Office of the Governor
- Four members of the North Dakota Legislative Assembly
- Executive Director of the North Dakota Department of Human Services, or designee
- State Health Officer of the North Dakota Department of Health, or designee
- Director of the North Dakota Indian Affairs Commission, or designee

- Director of the North Dakota Department of Corrections and Rehabilitation, or designee
- State Superintendent of the North Dakota Department of Public Instruction, or designee
- Director of the Bureau of Criminal Investigation, or designee
- One North Dakota sheriff
- One, but not more than three, addiction counselors or prevention specialists
- One North Dakota States Attorney
- One North Dakota Chief of Police
- Adjutant General of the North Dakota National Guard, or designee
- One representative of the North Dakota Supreme Court
- United States Attorney, or designee
- First Lady of North Dakota

II. The Commission shall a) explore the interrelationship between substance abuse prevention, education and enforcement programs; b) design procedures to coordinate resources in the substance abuse area; and c) pursue avenues to ensure future coordination of resources designed to address substance abuse issues.

III. The Attorney General or his designee shall serve as Chair of the Commission.

IV. This order replaces Executive Order 1999-06, which is hereby rescinded.

This order is issued on the basis that the Governor is vested with the Executive authority pursuant to Article V, Section 1 of the North Dakota Constitution.

Executed at Bismarck, North Dakota, this _____ day of , 2002.

John Hoeven

Governor

Attest:

Secretary of State

Deputy