

TRIBAL PROGRAM NEWS

Siletz Tribal
Court and
Code
Development

TCCD Project News

by Diane Henkels

Law Enforcement Training

In August, CTSI hosted a workshop on concurrent jurisdiction for Lincoln County law enforcement professionals. The training took place in the Tribal Council chambers.

The purpose of the training was to help local law enforcement understand how the tribe and the state exercise concurrent jurisdiction on Siletz Tribal land. The state may enforce state law on the reservation because of Public Law 280. This federal law was passed in 1953 during the termination era. It gave certain states, including Oregon, the authority and responsibility of enforcing state law on Indian reservations with a few exceptions, such as Warm Springs.

About 35 people attended the training, including police officers from the Oregon State Police (10); Lincoln County Sheriff's Office (2); support staff from the Toledo Police Department; two from LinCom dispatching service; Bernice Barnett, incoming district attorney; Rob Bovett, Lincoln County counsel; Karen Gerttula, Lincoln County commissioner; Linda Gast, Legal Aid attorney; Nancy Lanvik, Newport Circuit Court clerk; Alan Petersen and Mike Hart, Juvenile Department; Dave Cogswell, Services for Children and Families; and Leonard Williamson, Department of Public Safety Standards and Training (police academy in Monmouth).

Tribal Council Vice-Chairman Bonnie Petersen represented Tribal Council. CTSI staff included Tina Retasket, Norman Counts, Judge Calvin Gantenbein, Dianne McLeod, Becky Goulet, Robert Kentta, and myself.

Materials distributed included a small green booklet, "A Guide to Concurrent Jurisdiction on Siletz Tribal Land." This booklet was referred to throughout the



Rennard Strickland reminds workshop participants that we all want the same thing: better law enforcement and increased protection of our citizens.

training and the Lincoln County Sheriff's Office requested 25 more.

Bonnie Petersen opened the training by welcoming participants and referring to the revival of the tribe's traditional dances. She also mentioned the beginning of the law enforcement funding efforts when she wrote the first COPS grant.

Tina Retasket then introduced participants to Siletz Tribal history, especially the evolution of CTSI law enforcement and the current ANA Tribal Court project.

A key speaker at the training was Rennard Strickland, dean of the University of Oregon School of Law. Strickland, a legal historian of Osage and Cherokee heritage, discussed sovereignty, P.L. 280, concurrent jurisdiction, Indian Child Welfare, sovereign immunity, and related topics. He reminded everyone that we all want the same outcome: better law enforcement and increased protection of our citizens.

Jack Lawson, Native American coordinator for the Oregon Youth Authority, explained that Executive Order 96-30 requires Oregon agencies to establish government-to-government relations with Oregon's nine federally recognized Indian tribes. He identified the members of the public safety cluster group charged with implementing the executive order in law enforcement.

John O'Brien, Lincoln County sheriff, then spoke on the history of the sheriff's office with the tribe since Restoration in 1977. During his 20+ years in Lincoln County, Sheriff O'Brien has seen CTSI grow out of its A-frame building to its current state.

Robert Kentta, the tribe's cultural resources director, explained CTSI's treaty

history. He also talked about cultural resources and the process of handling problems related to them.

I, as TCCD project attorney, spoke briefly about the map showing the reservation in Lincoln County.

Norm Counts, tribal police chief, then took the floor and clarified how concurrent jurisdiction is implemented on the ground. Thanks to the recent intergovernmental agreement between the tribe and the city of Siletz on law enforcement and pursuant to Public Law 280, Siletz Tribal police now enforce tribal law and state law on tribal lands, and state law on non-tribal lands within the city limits.

Judge Calvin Gantenbein spoke for a few minutes about Tribal Court, including the court's administrative staff and the trial court and appellate judges. He then conducted a tour of Tribal Court.

Breaks during the training and a light meal in the lunchroom gave people an opportunity to look around the building, and the Tribal Court tour showed everyone where Tribal justice services are based. As one of our tribal elders said, the training was 150 years late, but, added another tribal member, "It was a good start."

Other News

The project is working on revising the criminal procedures ordinance and will seek input from interested parties before drafting the revisions.

Finally, we welcome the project's new law clerk, Kara Hegwood. She graduated from Lewis and Clark Northwestern School of Law and is based at the Portland office, working out of Portland-area law libraries. Welcome!