



**To:** Indian Law & Order Commission

**From:** The Confederated Tribes of Grand Ronde

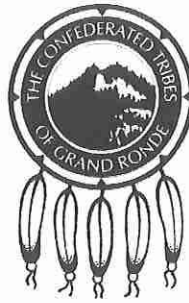
**Date:** November 2, 2011

**Subject:** Senate Bill 412 (Oregon 2011 Regular Session)

Good afternoon, and thank you very much for the opportunity to testify in front of you today. My name is Justin Martin, and I am here on behalf of The Confederated Tribes of Grand Ronde, where I am also a tribal member. My testimony will focus on Oregon's Senate Bill 412 (SB 412), and the political environment that surrounded the passage of this landmark legislation in 2011. I will briefly look to the past, and then to the future as we move forward in partnership with public safety efforts that will benefit Indian Country, the citizens of our communities and the great State of Oregon.

To say that Oregon's SB 412 was a fierce political battle would be an understatement, and while we are ecstatic with the results, we know that there is much work to be done in the future. We are aware of the difficulties throughout the country with this issue, and we hope that our insights are helpful to other tribes who are continuing to do great things in tribal law enforcement. Over the past fifteen years the State of Oregon has had a very positive period of interaction known as the government-to-government process. First, through an Executive Order from Governor Kitzhaber, and then through implementation of that Executive Order into statute in the form of Senate Bill 770 (SB770). SB 770 solidified the relationship between state and tribal agencies that would grow throughout the years and create a truly unique environment of communication between the two governments. This process when combined with outreach to the Oregon legislature by tribal leaders and their advocates has led to great success in government relations and helped to set the stage for passage of several pieces of landmark legislation and ultimately SB 412, following the Kurtz decision.

With the onset of the Governor's Executive Order, The Confederated Tribes of Grand Ronde created a program specifically to focus on the Oregon Legislature, as did other Oregon Tribes. The Grand Ronde program focused on five specific areas:



Communication, Education, Cooperation, Contributions, and Presence. The goals of the program were simple, to work to break down barriers and improve government-to-government relationships with our elected officials at the state level. In using these basic principles to approach the state legislature, coupled with efforts between our agencies and state agencies, Grand Ronde and Oregon Tribes began to see immediate success. As an example, in 1997 there were 38 specific measures that focused on gambling, with 19 of those measures being potentially damaging to Oregon's tribal gaming facilities. Through the government-to-government process, advocacy from Oregon's Tribes, and the Grand Ronde program, Tribes saw those 19 measures dwindle to only 3 measures that posed a threat in the 1999 legislative session. Further success was evident in the 2001 legislative session that yielded 6 pieces of positive tribal legislation, including the landmark SB 770. Why is this brief history important to our discussion today? We believe that it highlights the importance of building a strong foundation between governments and legislative bodies that pay dividends in positive legislation for the benefit of tribal government and state government as well.

In looking at SB 412 specifically, it was interesting in seeing how partisan lines were so prevalent during the process. Opposition from the Oregon Sheriff's Association, and the Association of Oregon Counties certainly made our efforts difficult. While support from the Oregon Association of Police Chiefs was very helpful, and this is an alliance that we will work hard to continue to foster positive working relationships. Despite good working relationships with mostly Republican legislators who represent tribal communities in rural Oregon, the breakdown was very partisan resulting in votes of 19-9 with 16 votes needed in the Senate, and 33-25 with 31 votes needed in the House. Of the 9 no votes in the Senate 8 were Republican, of the 25 no votes in the House all were Republican. Whatever the reasons for the no votes, one thing is clear, we as tribes have to continue to work to build relationships with these legislator's, who represent our members due to our locations throughout the state. How we turn the corner and move forward in the government-to-government process and how we approach mending and building new relationships is even more critical now.

Several tribes and advocates in Oregon have already turned that corner. Through outreach with different yet critical issues in Oregon, we have begun to mend strained relationships from this past legislative session. We have begun the process of cross-training our tribal law enforcement with local law enforcement agencies, we have begun getting our officers trained at the state level, and most importantly we have reached out to law enforcement officials throughout the state. We are proud to be continuing the work



in this specific arena by hosting a State-Tribal Law Enforcement Conference on January 12, 2012 to bring us all together to gather information and look at coordination and cooperation in the future. These future steps will pave the way for our success in Indian Country, and the relationships that we build and maintain will help break down barriers between the old school thought of "us vs. them" and start to look to the future when it is "we" as both tribal law enforcement working for the benefit of Indian Country and all the citizens of Oregon.

In closing, I would like to quote a statement from our Tribal Chairwoman Cheryle Kennedy's testimony in front of the House Subcommittee on Interior Appropriations. Her testimony concluded with the importance of continuing to make positive strides with tribal law enforcement, and the importance of funding to continue forward momentum in providing public safety for tribal and non-tribal communities in the future.

"I would like to add my voice to those advocating for increased funding to address the law enforcement, infrastructure, and education needs of Indian Country. There are huge gaps between tribes' abilities to fund law enforcement and their law enforcement needs. Grand Ronde is responding to community demands for police services by taking steps to establish its own Police Department. Department start-up cost are high, but so is the cost of fear for tribal members living in rural areas poorly served by county sheriffs, even where tribal-county agreements for sheriff patrols in tribal communities are in place.

Funding needs are especially acute for restored tribes such as Grand Ronde. During the 1960s and 1970s, the federal government provided tribes more training, involvement, and influence in the process of managing federal funds through, for example, Tribal Priority Allocations for law enforcement, social services, adult vocational training, and natural resources management. As Grand Ronde was not restored until 1983, the Tribe was unable to participate in this federal investment in Indian Country. The Tribe is playing catch-up from the years its community was neglected following termination in 1954. Serious efforts must be made to provide restored tribes with direct funding to assist them in developing fundamental public safety resources and infrastructure in their communities. Federal funds intended for tribes are often sent first to the states, which may then distribute these funds to tribal governments. This is inefficient. Funds for tribal governments should go directly to them."

Thank you very much for this opportunity to testify in front of you today.