



Idaho Sheriffs' Association

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Minutes for Board of Directors Teleconference for January 21, 2010

Attendance: Vaughn Killeen, Mike Kane, Sheriff Chris Smith, Sheriff Mitch Alexander, Sheriff Gary Raney, Sheriff Daryl Wheeler, Sheriff Bob Kirts, Sheriff Paul Wilde, Sheriff Chris Goetz, Sheriff Dave Johnson, Sheriff Jim Jeffries and Benewah County Prosecutor Doug Payne.

The purpose of this meeting was for Mike Kane to update the Board on the Tribal Legislation that was presented to the Sheriff's Association at the December meeting by Helo Hancock from the Coeur d'Alene Tribe and decide our course of action. The special teleconference is being held because the bill could be introduced as early as next week and several Legislators are already talking about the bill.

Hancock and Lobbyist Bill Roden had previously met with Vaughn and Mike to discuss this bill. Mike and Vaughn made several suggestions based on obvious problems and many of those changes have been made to the bill that had been presented to the Sheriff's in December. This bill is going to be carried by House Judiciary and Rules Committee Chairman Representative Jim Clark from Hayden Lake. Mike feels that there is a good chance that this bill will get out of committee and to a floor vote. Mike has met with the Senates Judiciary and Rules Committee Chairman Denton Darrington who said if this happens it will also get a hearing in the Senate Committee. Mike does not think that the Governor would veto this bill but he has not yet taken a position.

Mike has talked to the lobbyist for the Sho-Ban and Nez Perce Tribes. The Sho-Ban Tribe does not support this bill and does not intend to enact it if it passes. The Nez Perce Tribe supports the bill but is not pushing it. The push behind this bill is coming from the Coeur d'Alene Tribe and the bill is supported by Sheriff Watson in Kootenai County. Sheriff Kirts in Benewah County is against this bill. Sheriff Kirts said that the Tribe approached him and said that if he would Cross-Deputize the Tribal Police that they would not bring the bill forward.

Mike has spent considerable time trying to figure out the best strategy for the Sheriff's Association to accommodate our needs and ensure that a law enacted by the legislature protects the authority of the office of sheriff. Hancock and Roden have already made inroads with Legislators. Their message is that there are problems on the reservations when Tribal Police have contact with non-tribal members. They say that there has been several times that when the Tribal Police request Sheriff's Deputies to respond that it takes three hours for them to get there to deal with the non-tribal member. They also say that since the Tribal Police are already out patrolling, that when they run into serious crimes like domestic violence, drugs, and others, that it just makes sense for the Tribal Police to take action instead of waiting so long for a Sheriff's Deputy to arrive. Mike believes this is not the case but that has been what they have been conveying to Legislators.

One of the key problems is that the Sheriff has no authority over the Tribal Officers. There will have to be language that reaffirms the Sheriff is the Chief Law Enforcement Officer of the county including over the Tribal Police. Mike also suggests that we limit their enforcement authority to along State highways and limit what state statutes they can enforce. It is already clear in the bill that if a Tribal Officer makes an

arrest that they will immediately notify the Sheriff and take them to the County jail. If the Tribal Officer issues a citation they have two days to notify the Sheriff. Sheriff Kirts made a motion that we have Mike move ahead with these suggestions and that we further discuss the issue at the February Sheriff's Association meeting. Sheriff Goetz seconded and all on the teleconference voted yes. Sheriff Raney had left the teleconference before the vote.