

SPECIAL SESSION CROW TRIBAL LEGISLATURE

LR No. 17-03

Introduced by Crow Tribal Legislative Branch

A Legislative Resolution Titled:

“A RESOLUTION DECLARING A STATE OF EMERGENCY REQUESTING LAW ENFORCEMENT SUPPORT FROM THE UNITED STATES DEPARTMENT OF INTERIOR; BUREAU OF INDIAN AFFAIRS; MONTANA SENATORS TESTER AND DAINES; STATE OF MONTANA; AND SURROUNDING JURISDICTIONS THROUGH THE CROW TRIBE EXECUTIVE BRANCH”

Legislative Findings:

WHEREAS, the Crow Tribal Legislature (hereinafter “Legislature”) has the power and duty under Article V, Section 2 of the Crow Tribal Constitution to promulgate and adopt resolutions in accordance with the Constitution and federal laws for the governance of the Crow Tribe; and

WHEREAS, Legislative Resolution 10-20, A Resolution of the Crow Tribal Legislature to Establish Branch Policy and Procedure for Legislative Resolutions, Section 1 § 5, Resolutions for making recommendations or the establishment of government policy by law or otherwise, including federal and state legislation, which may affect the Crow Tribe and its members; and

WHEREAS, the Crow Tribal Legislative Branch hereby declares a State of Emergency and makes this formal request to local tribal, federal and surrounding jurisdictions for an organized effort to immediately address the drug epidemic and rash of violent offenses seriously affecting the Crow Indian Reservation, its members and residents; and

WHEREAS, the Crow Indian Reservation was previously under a “Memorandum of Understanding” with the BIA Law Enforcement Services to provide more police officers for public safety through past Executive Branch Administrations, whereby such MOU and has been expired for more than two years;

WHEREAS, on August 7, 2017, the Crow Tribe Legislature was briefed by Chief of Police Figueroa and the following report was given:

1. The Crow Tribe lacks a formal MOU with Bureau of Indian Affairs to provide increased law enforcement to the Reservation.
2. In October of 2013 a total of nine (9) officers left the BIA law enforcement services in Crow Agency, and the force numbers have never recovered.

Special Session August 7, 2017

A RESOLUTION DECLARING A STATE OF EMERGENCY REQUESTING LAW ENFORCEMENT SUPPORT FROM THE UNITED STATES DEPARTMENT OF INTERIOR; BUREAU OF INDIAN AFFAIRS; MONTANA SENATORS TESTER AND DAINES; STATE OF MONTANA AND SURROUNDING JURISDICTIONS THROUGH THE CROW TRIBE EXECUTIVE BRANCH

3. Crow Agency is in dire need of a minimum of (20) officers to cover the Crow Indian Reservation.
4. Of the nine (9) Bureau of Indian Affairs officers; at any one time, only three (3) officers are on duty for the entire reservation which encompasses 2.2 million acres of land within six (6) districts.
5. The Crow Tribe lacks a jail facility; whereby, any one of the three officers must provide transport to one of the surrounding detention facilities, covering a minimum of 100 miles-round trip, resulting in reduced officer support for public safety.
6. For the last three (3) years the opening of the Two Rivers Facility in Hardin has moved slowly due to lack of resources and funding support from the federal government.
7. That under the current administration under the United States Government, 122 million cut in law enforcement has been proposed for Indian Country; whereby, such cuts will drastically impact the Crow Tribe's ability to access funding for law enforcement.

WHEREAS, the Crow Tribe Legislature supports a law enforcement agreement with BIA Law Enforcement with the following minimum requirements:

1. All local, federal and state officers be made available to assist the BIA Law Enforcement Officers to provide increased public safety on the Crow Indian Reservation at all times;
2. Such agreement should authorize tribal officers to arrest, detain and cite non-Tribal individuals into their appropriate jurisdiction;
3. The Crow Tribe empowering its full sovereignty by increasing public safety and accountability under Crow Tribal Law;
4. Tribal reserve officers to be eligible to serve under such agreement, which will also include other tribal public safety officers including fish and game wardens;
5. All officers under such agreement will be required to receive cultural-sensitivity training;
6. All detainees to be afforded equal protection as required by law;
7. That in the event any officer is in violation of such agreement, the subject officer shall be immediately removed from the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE IN SPECIAL SESSION:

Section 1. That the Legislature formally requests that the Crow Tribal Executive Branch pursuant to Article IV-Section 3a of the Constitution to negotiate and enter into a law enforcement agreement with the Bureau of Indian Affairs with the goal of increasing police officers on the Reservation and empowering Crow Tribal Sovereignty; by assuring the Crow Tribal control over the agreement.

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Section 2. That a negotiated law enforcement agreement with the Bureau of Indian Affairs be introduced under a Joint Action Resolution as soon as possible; whereby, such resolution will be made available for public comment prior to its passage.

Section 3. Further, that the Executive Branch negotiate with the Bureau of Indian Affairs, Department of Interior and Montana Congressional delegates to immediately assist the Crow Indian Reservation with more officers and to address a more timely opening of a local jail facility.

Section 4. This Legislative Resolution take effect immediately upon becoming duly adopted by the Legislature.

Section 5. A copy of the Legislative Resolution shall be provided immediately to the Crow Tribe Executive Branch Officials, Senator Daines, Senator Tester, Secretary of the Interior Zinke, United States Attorney for the District of Montana, Leif Johnson; Bureau of Indian Affairs Law Enforcement Area Director, William LeCompte and Agent in Charge, Doug No Seep, and Chief of Police Figueroa; State of Montana Attorney General, Tim Fox; and, any other law enforcement officials pertinent to this resolution.

CERTIFICATION

I hereby certify that this Legislative Resolution titled “**A RESOLUTION DECLARING A STATE OF EMERGENCY REQUESTING LAW ENFORCEMENT SUPPORT FROM THE UNITED STATES DEPARTMENT OF INTERIOR; BUREAU OF INDIAN AFFAIRS; MONTANA SENATORS TESTER AND DAINES; STATE OF MONTANA AND SURROUNDING JURISDICTIONS THROUGH THE CROW TRIBE EXECUTIVE BRANCH**” was duly adopted by the Crow Tribal Legislature with a vote of 16 in favor 0 opposed, and 0 abstained and that a quorum was present on the 7th day of August, 2017.


Senator Eric Birdinground
Speaker of the House
Crow Tribal Legislature

ATTEST:


Senator Gordon Real Bird, Jr.
Secretary
Crow Tribal Legislature



Special Session August 7, 2017

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LR "A RESOLUTION DECLARING A STATE OF EMERGENCY REQUESTING LAW ENFORCEMENT SUPPORT FROM THE UNITED STATES DEPARTMENT OF INTERIOR; BUREAU OF INDIAN AFFAIRS; MONTANA SENATORS TESTER AND DAINES; STATE OF MONTANA; AND SURROUNDING JURISDICTIONS THROUGH THE CROW TRIBE EXECUTIVE BRANCH"

Bill or Resolution: LR17-03 **Introduced by:** Crow Tribal Legislative Branch **Date of Vote:** 8/7/2017
Number

REPRESENTATIVE:	Yes	No	Abstained
G. Three Irons	<u>X</u>	<u> </u>	<u> </u>
B. Rogers	<u>X</u>	<u> </u>	<u> </u>
F. White Clay	<u> </u>	<u> </u>	<u> </u>
P. Hill	<u>X</u>	<u> </u>	<u> </u>
S. Real Bird	<u> </u>	<u> </u>	<u> </u>
V. Nomee	<u>X</u>	<u> </u>	<u> </u>
T. Yellowtail	<u>X</u>	<u> </u>	<u> </u>
T. Gros Ventre	<u>X</u>	<u> </u>	<u> </u>
P. Alden, Jr.	<u>X</u>	<u> </u>	<u> </u>
E. Deputee	<u>X</u>	<u> </u>	<u> </u>
P. Spotted Horse, Sr.	<u>X</u>	<u> </u>	<u> </u>
L. DeCrane	<u>X</u>	<u> </u>	<u> </u>
J. Demontiney	<u>X</u>	<u> </u>	<u> </u>
B. Hugs	<u>X</u>	<u> </u>	<u> </u>
B. Good Luck	<u>X</u>	<u> </u>	<u> </u>
H. Male Bear, Jr.	<u>X</u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u>X</u>	<u> </u>	<u> </u>
Secretary of the House			
Eric Birdinground	<u>X</u>	<u> </u>	<u> </u>
Speaker of the House			
	<u> </u>	<u> </u>	<u> </u>
Total:	<u>16</u>	<u>0</u>	<u>0</u>

Result of Vote:

Passed

Not Passed

Tabled

Veto-Override


 Senator Eric Birdinground _____ Date _____
 Speaker of the House


 Senator Gordon Real Bird, Jr. _____ Date _____
 Secretary of the House