

SUPPLEMENTAL STATEMENT OF HOWARD ARNETT,
WARM SPRINGS TRIBAL ATTORNEY
REGARDING SB 731

Senate Committee on Judiciary and Ballot Measure 110
Implementation

Oregon Legislative Assembly

March 18, 2021

In response to Senator Linthicum's question about the purpose of lines 12-13 of SB 731, the answer is twofold: First, many of these statutes deal with DPSST agency operations and are irrelevant to training and certification of tribal officers under SB 412. An example is ORS 181A.360 concerning the composition of the Board on Public Safety Standards and Training, the agency's governing body. Second, other statutes relate to the internal operations of tribal law enforcement programs in a manner inconsistent with SB 412. An example of the latter is ORS 181A.490, which would require **all** police officers employed by a tribal police department to be DPSST trained and certified. As I stated in my hearing testimony, Warm Springs may choose, for reasons unique to a tribal police department, to have one or more of its officers trained and certified by the BIA Indian Police Academy in New Mexico rather than by DPSST. Those officers would not, of course, be able to exercise SB 412 authority (i.e., enforce state criminal laws) but the fact that such officers are not DPSST trained and certified is an internal tribal decision. It should not render the Tribe's entire law enforcement program out of compliance with DPSST statutes.