



April 18, 2025

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**Oregon State Legislature
Joint Committee on Addiction and Community Safety Response
c/o Sen. Floyd Prozanski, Co-Chair; Rep. Jason Kropf, Co-Chair; and
Rep. Kevin Mannix, Co-Vice Chair**

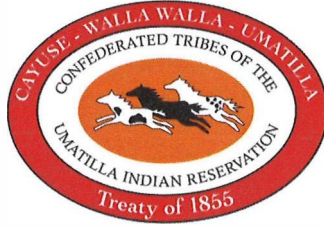
Re: Tribal Forensic Health Task Force Amendment for HB 2481

Dear Co-Chairs Prozanski and Kropf, Co-Vice Chair Mannix, and Members of the Joint Committee on Addiction and Community Safety Response:

The Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and the Umatilla Tribal Court request your engagement and support regarding a tribally driven amendment to House Bill (HB) 2481 that seeks to address longstanding justice and service gaps effecting our tribal communities. We appreciate that the House Judiciary referred the bill, by unanimous vote and without recommendation, to the Joint Committee.

Currently, there is a lack of state recognition of tribal court orders related to: (1) a defendant's ability to aid and assist in their own defense (fitness/competency to stand trial), and (2) involuntary civil commitment, including culturally appropriate treatment. In 2021, Oregon amended state law to require state courts to acknowledge full faith and credit of "any judgment, decree or order of a tribal court of a federally recognized Indian tribe, *except...as provided in [Oregon Revised Statute] ORS 426.180 (Emergency commitment of individuals in Indian country).*" (ORS 24.105(2), italics added.) ORS 426.180 excludes recognition of tribal court orders involving involuntary commitment. The effect is that tribal court orders related to defendant restoration services ("aid and assist" services) and involuntary civil commitment are not recognized. Under the current statute, the State designates tribal court judges the same ability to initiate commitment procedures as any two persons, or a local health officer. (ORS 426.070(1).)

Without the ability to issue a recognized order, tribal courts in Oregon cannot enact justice for tribal member defendants or tribal communities. And while it is understood that state resources are limited and imperfect, the inability of a tribal court to directly order involuntary civil commitments disallows tribal members—who are also state citizens—from accessing state mental health resources for which the State receives funds, based on state (and, therefore, tribal member), population and citizenship.



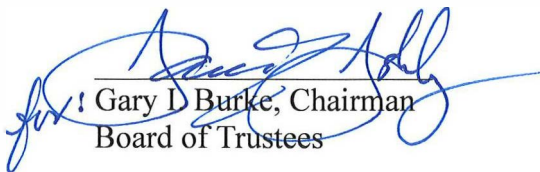
In 2024, the Oregon Tribal-State-Federal Court Forum identified recognition of tribal court Aid and Assist orders (as issued when a defendant is not competent to stand trial) and tribal court civil commitment orders as a matter warranting improvement. Several Tribal and State Court judges are interested in doing such work. Tribal Court judges were invited to participate in the 2024-2025 legislative workgroup. Tribal court participation led to recognizing the unique needs of tribal courts, and a recommendation for: Establishing the Task Force on the Intersection of Tribal and State Forensic Health ("Task Force").

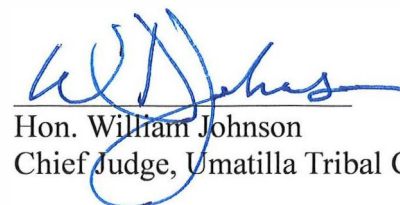
The CTUIR Board of Trustees and Umatilla Tribal Court ask that you support an amendment to HB 2481 establishing the Task Force as a first step towards identifying tribally driven recommendations to address these issues. The Task Force would consist of tribal service providers, tribal court judges, and other multiple stakeholders appointed by the Governor or the Chief Justice. The Task Force will : (1) Identify data sharing needs between tribal stakeholders / tribal service provider and state stakeholders / state service providers; (2) Examine mental health care and behavioral health care services provided within tribal lands and to tribal members, and identify barriers to providing care to tribal individuals; (3) Determine barriers to tribal members receiving state care; (4) Examine models for tribal and state interactions relating to mental health or behavioral health; and (5) Develop recommendations concerning tribal court needs regarding barriers to accessing state services. The proposed Task Force reporting date to the Legislative Assembly is December 2026 and would include recommendations related to tribal member access of state behavior and mental health resources under tribal court orders.

CTUIR Board of Trustees appreciates your consideration and support. Please contact Amanda Hess, Associate at NW Public Affairs at 651-353-8247 amanda@nwpublicaffairs.com with any questions or requests.

Thank you for your commitment to justice for tribal members in Oregon.

Regards,


for Gary D. Burke, Chairman
Board of Trustees


Hon. William Johnson
Chief Judge, Umatilla Tribal Court