

## COMMENTARY

Senator Mike Jorgenson

Over the past few weeks there has been growing, but increasingly ill-tempered discussion throughout the state about proposed legislation that is slated to be presented to the Idaho Legislature by representatives of the Coeur d'Alene Tribe .

The proposal relates to enforcement of state laws by Idaho POST-certified Tribal police within the boundaries of Indian reservations of the state. The legislation is prompted by the current the lack of authority for such tribal police officers to make arrests of non-Indian persons, often for very serious crimes within reservation boundaries.

The situation is further complicated by the fact that some county sheriffs lack sufficient manpower or willpower to effectively fulfill their law enforcement duties within the reservation, thereby creating gaps in law enforcement coverage, which is turning Indian reservations into safe havens for drug traffickers, sex offenders, domestic violence and perpetrators of other major, serious crimes. Last year alone more than 1,000 instances such as these were reported but arrests could not be made by Tribal police who went to the scenes of such crimes. I am sure many people would be outraged to learn of this.

In Kootenai County, we are fortunate that Sheriff Watson has a good relationship with the Tribe, and in the interest of public safety and effective law enforcement, has an excellent working agreement in place with the Coeur d'Alene Tribe, and with Tribal Police Chief Keith Hutchinson, who himself is a non-tribal member. Unfortunately that is not true for all Reservation areas outside Kootenai County and elsewhere in the state.

However, the purpose of this guest opinion is not to discuss the merits of the proposed legislation. It is to address the inflammatory and patently untrue claims of its opponents now circulating. Statements by groups such as the Idaho Eagle Forum and the North Idaho Citizens Alliance, generally considered a radical Anti-Indian activist group, do a substantial injustice to Idaho Indian Tribes and are stoking unwarranted fears in local citizens.

Utilizing the internet, one can find disgusting comments such as: "Idaho pro-Obama bosses are trying to muscle-through 'Custer Legislation', so that the (Red) Indians can at last get their own back on 'white men – cowboys and Indians all over again.'"

Even worse, in my opinion, is that the Idaho Eagle Forum has advised its sympathizers that under the Coeur d'Alene proposal, "If you live within reservation lines the Indians are a nation within a nation and have their own law officers, courts and government you will be under. If you encounter legal problems within the reservation you could not call your sheriff or the state police because they would lose their authority within those boundaries."

Statements such as those are completely false. They are simply not true in any respect and people must be made aware of this. No person arrested by a Tribal police officer will be prosecuted by anything other than a county court of the state of Idaho—not a Tribal court.

The individuals who are making these false claims do great damage to reputation of the Coeur d'Alene Tribe which has successfully integrated itself as a positive part of the fabric and well-being of our entire community.

The ongoing and generous Tribal contributions, totaling millions of dollars, supporting the Kroc Center in Coeur d'Alene, the Library, the Chamber of Commerce new headquarters and many area schools, are outstanding examples of the Tribe's commitment to our county and city.

None of these benefits and philanthropic efforts have been restricted to the members of the Tribe, but have been for the benefit of all of us. They graphically demonstrate Coeur d'Alene Chairman Chief Allan's oft-repeated and publicly stated belief that "we are all in this together—we are all Idahoans."

It is now time to talk facts and judge issues on their real merits. It is time for destructive rhetoric to stop. The safety of innocent Idahoans is a serious issue. Criminal elements cannot be tolerated in our neighborhoods and we should be grateful the Tribe has stepped forward with yet another offer of public assistance.

*Sen. Mike Jorgenson (R-Hayden Lake) is Chairman of the Idaho Council on Indian Affairs, Vice-Chairman of Judiciary & Rules and a member of Local Government & Taxation.*

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