

Deputy debate moves to emergencies

By Dan Hammes

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The argument between Benewah County and the Coeur d'Alene Tribe over deputization has spread throughout the region. Newspapers and television stations have covered the story of the county's refusal to deputize tribal officers.

The topic, however, has changed.

Editorial writers and a human rights group blasted Benewah County and Sheriff Bob Kirts for putting people at risk by not deputizing tribal police. They charge that tribal officers cannot respond when non-tribal members are committing crimes. Domestic abuse, criminal assaults and drunk driving were cited as offenses for which county officers have not responded and tribal officers were forced to ignore because they lack authority to act.

The tribe says the county does not always dispatch deputies when they are requested, either because the county refused to assist or because of a lack of manpower.

The allegations are false, Sheriff Kirts said.

The tribe has requested assistance 187 times in the last year and the average response time by the county has been 19 minutes, he said. In five incidents the county was unable to respond, Sheriff Kirts said.

But the critical point is the tribe does not acknowledge that their officers have authority to act in emergencies, Sheriff Kirts said.

"The tribal police have the authority to act in case of emergencies. They know that, they have the letter I wrote in 2007 authorizing it. They just choose to ignore it," he said.

Sheriff Kirts granted tribal police the authority to act in the case of emergencies a month after ending the cross-deputization agreement in January 2007. Sheriff Kirts said he cancelled the agreement because tribal officers abused their authority by citing non-tribal members into tribal court.

Marc Stewart, spokesman for the tribe, said the tribe has no record of the letter, which Sheriff Kirts said he mailed to tribal headquarters. He acknowledged that Helo Hancock, legislative director the tribe, received a copy of the letter from Sheriff Kirts last month.

Mr. Stewart questioned whether the letter grants the authority Sheriff Kirts says it does. He pointed out the letter was not written on county letterhead and asked whether deputizing tribal officers to act in emergencies requires an oath.

Vaughn Killeen, executive director of the Idaho Sheriffs' Association, said the letter gives the authority Sheriff Kirts said it does.

"What Sheriff Kirts gave them in that letter is wide open authority to enforce the law in case of an emergency," Mr. Killeen said.

Sheriff Kirts said the tribe's push for deputization has little to do with concerns over public safety since tribal police can act in emergencies.

"They simply want more authority, especially over the water," he said.

The Kootenai County Task Force on Human Relations sent a letter authored by Christie Wood,

an officer with the group, to every legislator in the state. In the letter Ms. Wood said Sheriff Kirts' refusal to work with tribal police has (italic) "left citizens in bedlam." (end)

In addition, she wrote (italic) "child molesters and rapists can now roam free and continue to violate their victims with no repercussions."

Sheriff Kirts said Ms. Wood, who is a Coeur d'Alene police officer, was not aware that tribal officers can respond to emergencies.

The tribe is pushing legislation that would mandate tribal officers be deputized whether or not a county sheriff approved. Reports that the legislation would be introduced Tuesday could not be confirmed.

Letter to lawmakers cites bedlam, rapists

The Kootenai County Task Force on Human Relations writes to you today about a matter of grave concern. As you are well aware, our esteemed State of Idaho is recognized throughout our nation as the "Gem State." We are celebrated for our outdoor-oriented community, our abundant natural resources, and our commitment to the public safety of our citizens that ensures our quality of life. Recently, it has come to light that these fundamentals we hold dear in our state are threatened by lawlessness due to the unresponsive and uncooperative actions of the Benewah County Sheriff's Department with regard to crimes committed on the Coeur d'Alene Tribe's reservation.

The Coeur d'Alene Tribe is proposing the "State and Indian Tribal Cooperative Law Enforcement Act" that enables all tribal police officers the authority to arrest, or cite non-tribal members violating state law on reservations. Violators would be sent to state court. This legislation is necessary to ensure the safety of the citizens living both on and off of the reservation in Benewah County.

The Benewah County Sheriff's Department under the direction of Sheriff Bob Kirts has steadfastly refused to initiate a cross-deputization agreement with the Coeur d'Alene Tribal Police. The Benewah County Sheriff's Department has also failed to respond in a timely manner or at all, for calls for assistance from the Tribal Police. Neighboring Kootenai County under the leadership of Sheriff Rocky Watson has had a long-standing agreement of cross-deputization with tribal police as well as other surrounding agencies. This agreement has worked remarkably well to protect citizens from criminal activity. The failure of Sheriff Kirts to work with the Tribal Police has left citizens in bedlam. Perpetrators have been set free that have committed serious criminal offenses against citizens living in Benewah County. The Tribal Police have documented cases of domestic violence, driving under the influence incidents, criminal assaults, and other criminal offenses that have occurred with no arrests or prosecution.

Imagine a city where child molesters and rapists can now roam free and continue to violate their victims with no repercussions. Gangs will spring forth, drug dealers will continue undeterred, and citizens will continue to fall victim to felony crimes. The Kootenai County Task Force on Human Relations is deeply concerned about this issue. We urge you, our protectors and leaders, to enact this legislation that will ensure the citizens of Benewah County and the residents of the Reservation the security and quality of life they deserve as Idahoans.

Sincerely,

Christine Wood

First Vice President

The Kootenai County Task Force on Human Relations

Board of Directors

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