

Racial tensions high in Benewah County

The Coeur d'Alene Tribal Police located in Plummer Idaho recently shared their concerns of racial tensions toward tribal officers with the Kootenai County Task Force on Human Relations. Tribal Police Chief Keith Hutchison and Officer Dressler were invited to a Task Force meeting to discuss the concerns of the Tribe.

Officer Dressler was the focus of media attention in July of 2008 due to a battery against him by the wife of a Benewah County Commissioner Jack Buell. The officer was on duty performing patrol functions in tribal waters at the southern end of Lake Coeur d'Alene when he and his partner observed a boat speeding through an area that is a no wake zone. The officers signaled to the boat driver to slow down and the driver of the boat shouted to them that "they have no jurisdiction in these waters." The officers pursued the boat and lawfully instructed the driver to pull over as they performed a boat inspection.

The occupants of the boat were the driver Jack Buell and his wife Eleanor. As officers tried to hold onto the two boats to keep the sides of them from colliding, Eleanor Buell yelled at the officer to get his "hands off of our boat". She then proceeded to hit the officer with her fists on his hands that were holding the boat. She also attempted to peel his fingers from the side of the boat. According to the police report, Mrs. Buell then reached down and picked up a hard plastic looking coffee mug and raised it as if she was going to strike the officer with it. While this was taking place Jack Buell continued to be verbally abusive toward the officers telling them they had no jurisdiction over them because they were Indians. Police say that Eleanor also stated to them "we are going to have to move to get away from people like you."

Officer Dressler asked "what type of people am I?" and Eleanor responded with "rude and nasty people." The officer chose not to arrest Mrs. Buell but did issue a citation to the boat driver for the violation of a no wake zone. He included the battery charge against him in his report. This case has yet to be resolved. Benewah County Prosecutor Doug Payne was quoted in a Coeur d'Alene Press article on July 24th 2008 as saying "The problem is to what extent do they have regulatory authority if they don't have criminal authority?" "That's a fundamental issue of conflict with the county and the tribe." He went on to say "As it stands now, our law enforcement is divided on the basis of race."

Racial tensions continue to be an issue for the Tribal officers. The Benewah County Sheriff's Department under the guidance of Sheriff Robert Kirts has failed to support Tribal Police Officers in the line of duty. Sheriff Kirts refuses to recognize their authority or to allow cross deputization of Tribal Police Officers, as has been commonly done in the past. Cross deputization allows for officers to act under the authority of the law while technically out of their jurisdiction. This procedure is necessary to provide officers in remote areas of the County with proper back up by officers from other agencies. Kootenai County under the leadership of Sheriff Rocky Watson practices cross deputization with Tribal Officers and other surrounding agencies. All of the Tribal police officers have graduated from the basic POST academy required by the State of Idaho, and are certified and recognized as police officers. (continued)

According to Tribal Police, the Benewah County Sheriff's Department has acted improperly on several occasions while serving misdemeanor warrants on tribal members. They stated that Sheriff's deputies enter the homes of tribal members by force without the benefit of a search warrant in an attempt to arrest on a misdemeanor charge. Chief Hutchison has shared his concerns with Benewah County prosecutor Doug Payne. Payne has expressed his support and approval of the actions of the Sheriff's Department.

The Kootenai County Task Force is deeply concerned over these issues and continues to work with the Coeur d'Alene Tribe to determine the best course of action.

Christie Wood

(Christie Wood is a Board member of the Kootenai County Task Force on Human Relations.)