

**CAL POLY HUMBOLDT**  
**University Senate**

**Sense of the Senate Resolution on**  
**Supporting California Assembly Bill 44 on Enhancing Tribal Public Safety**

19-22/23-EX — March 07, 2023

**WHEREAS:** California has the largest population of Native Americans of any state in the US, and Indigenous Persons, especially Indigenous Women and Girls, are disproportionately affected by violence, human trafficking, and murder, and become “missing” at much higher rates than people of other racial groups; and

**WHEREAS:** California has the fifth largest caseload of Missing and Murdered Indigenous Persons (MMIP), and more than 4 in 5 American Indian and Alaska Native women have experienced violence in their lifetime (more than 1 in 3 in the last year), and 1 in 130 Native American children likely go missing each year; and

**WHEREAS:** Studies<sup>1</sup> have shown that public safety improves when Tribal Nations have the resources to enforce their own laws and to protect their people, though current California State law presents barriers for Tribes to strengthen their public safety systems; and

**WHEREAS:** Existing federal law recognizes that Indian Tribes retain inherent sovereign authority over their lands, including the authority to exercise tribal law enforcement; and

**WHEREAS:** The federal government and thirteen other states, *excluding* California, provide tribal law enforcement authority to enforce state and/or federal law if said officers meet certain qualifications, and because no such law exists in California, tribal police in this State are reliant on local county sheriffs to decide if and when a tribal officer will be deputized as a sheriff’s deputy, and such agreements can be limited or terminated at the discretion of the sheriff at any time; and

**WHEREAS:** Tribal police departments and courts need access to the California Law Enforcement Telecommunications System (CLETS) in order to enter, verify, and update missing person’s information; and

**WHEREAS:** Currently few tribal law enforcement departments have access to CLETS as a result of their Deputation Agreement with their county sheriff or the Bureau of Indian Affairs, and no California tribal court has access to CLETS, this lack of access means that tribal police

---

<sup>1</sup> Goldberg, Carole, and Champagne, Duane. Law Enforcement and Criminal Justice Under Public Law 280, 2003-2005 [United States]. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2013-03-27. <https://doi.org/10.3886/ICPSR34557.v1>

departments and tribal courts are unable to search and access in real-time the criminal history, outstanding warrants and/or restraining orders related to specific individuals and cases; and

**WHEREAS:** Without tribal access to CLETS, tribal courts and tribal law enforcement cannot access domestic violence protective orders, emergency protective orders, or other restraining orders, limiting the ability of county and state law enforcement to protect tribal people; and

**WHEREAS:** [California Assembly Bill 44](#) (Ramos) will begin to address the crisis of MMIP by strengthening public safety in tribal communities by authorizing, but not requiring, tribal police officers working for federally recognized tribes in California to hold state peace officer status, so long as they meet Police Officer Standards and Training (POST) qualifications, with the benefits and privileges that accompany that status, and will grant qualified tribal police and tribal courts access to the CLETS; so therefore be it

**RESOLVED:** That the University Senate of Cal Poly Humboldt supports AB 44, an important legislation that will strengthen the capacity of tribal courts and tribal law enforcement while safeguarding the ability of tribes to ensure public safety for their people; and be it further

**RESOLVED:** That this resolution be distributed to the following:

- Chair of the Assembly Public Safety Committee - Assembly Member Reginald Jones-Sawyer,
- Author of AB 44 - Assembly Member James C. Ramos,
- CSU Campus Senate Chairs
- ASCSU Chair - Beth Steffel
- CFA Director of Government Relations - Bryan Ha
- CFA Director for Anti-Racism & Social Justice - Audrena Redmond