

Improving Tribal & State Community Relations: Joint Crow Creek Sioux Tribe and South Dakota Highway Patrol Memorandum of Understanding

Webinar Q & A

Moderator: Tammy Woodhams (Senior Staff Associate, National Criminal Justice Association)

Presenters:

Roxanne Sazue (Chairwoman, Crow Creek Sioux Tribe)

Scott Shields (Chief of Police, Bureau of Indian Affairs' Crow Creek Agency)

Captain Alan Welsh (Captain, South Dakota Highway Patrol)

1. You mentioned that your Pow-Wow is growing. Do you have any idea how many people are attending? Are they from the surrounding states or is it mostly people from South Dakota?

Roxanne Sazue: *It's people from all over. We've got the drum group that comes out of Canada and we also have one that comes from Oklahoma- they come from all over.*

2. Approximately how many people did you have attending the Pow-Wow?

Captain Alan Welsh: *I would say there are probably at least five thousand people here over that weekend.*

3. Chief Shields, you had mentioned that you had the assistant U.S. attorneys there, and there were about five or seven felony drug cases that were dealt with over the course of three days. Can you say a little bit more about that?

Chief Scott Shields: *Yes - three of the felony drug arrests were actually non-Indian. It was refreshing to see how personal the troopers took it. These folks brought their drugs here and tried to poison our community while they were protecting it. At that point if they were non-Indian they were transported to the state jail. The two people in the local drug arrests were transported to our correctional facility and charged in tribal court. I believe both those cases are still being investigated.*

4. What is the current relationship like between tribes and community members and policing agencies? In other words, how do tribal members feel about law enforcement?

Captain Alan Welsh: *There is a small percentage that does not like the law enforcement but I think that those are the people that want to commit crimes. I am sure there are some that do not like change but overall the feedback has been very positive. You can definitely see a difference in the troopers and in the tribal members from day 1 to the day we left. They bonded and created a community relationship. A popular topic is 21st century policing and involving the community and the relationship between both entities. When looking back, we were ahead of the game. What we did is what is being promoted in communities across the country right now*

5. How critical was the involvement of U.S. Attorney Brendan Johnson in establishing the MOU?

Captain Alan Welsh: *It was critical. Johnson being a U.S. Attorney, he had the authority and ability to have communication with the tribal officers, the BIA, and the tribal council. Without him I don't know that we would have been talking with the tribal council. Outside of Crow Creek he was the one that was providing the info to both sides along with the governor's office.*

6. In retrospect would you have done anything different in establishing the MOU?

Sheriff Scott Shields: *I can say, absolutely not from my standpoint. To me, I have been amazed how well it has worked since we established it. And we haven't even seen anything that has needed to be changed*

Captain Alan Welsh: *I would agree. There is nothing I would do different. The only thing I would add is, that I think we did right, if it does happen and you are going on to another jurisdiction, I think you would want your people to understand why they are there and the public service. We never told troopers to back off or not make arrests. But we definitely wanted them to understand the situation, that their primary role is to keep people safe and whatever they had to do to be a part of the community and the public service. An example would be picking somebody up, giving them a ride to their house. Things that we don't typically do. This is a small community and it is easy and it works. I think a big part of the success was the chief informing us of traditions and things that we didn't know before we came in. I think the other thing would be that the troopers that came in were public service first, that made a big difference*

7. You had mentioned something about the police academy and if you had had this when you were going through the academy, it would have been helpful. Is that part of the curriculum now, or is there a plan to incorporate that into the curriculum?

Captain Alan Welsh: *Yeah, that is part of the curriculum now and Chief Shields and I are the instructors for it. We used to get a real quick couple hour lesson on it, but it was from the Highway Patrol perspective. Now we've got Chief Shields in their teaching it with us and he lives it, he is on the reservation every day and he understands these things. There are a lot of things about the culture and traditions we didn't now and weren't relaying to our young recruits.*

8. Does South Dakota State Patrol site Indians into tribal court, and if so, does South Dakota allow state police to carry tribal commissions?

Captain Alan Welsh: *Yes. But, you have to remember, only when we are invited by the tribal counsel. So, today, I am at Crow Creek doing this conference. I am not pulling people over and writing tickets, because I have not been invited in an enforcement capacity. So, it's only when we are invited. One more thing to add, we are deputized by the judge.*

9. My meaning of a MOU is that either the highway patrol or the tribe can invite the other for assistance. Has the highway patrol every asked for assistance from tribal police?

Captain Alan Welsh: *Yes- we had a critical crash that was 5 miles off reservation, troopers were 40 miles away. The BIA officers from Crow Creek had the scene marked and they had the injured people taken care of. When I got the call dispatched the request went out to them because I knew they were a lot closer. We ultimately ended up writing the crash as far as the report, but the Chief and his people were valuable because they gave a quick response, took care of the injured people and moved debris. The understanding is that if one of us calls for backup we would respond both ways.*

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