

**SENATE BILL REPORT**

**HB 2159**

**AS PASSED SENATE, FEBRUARY 28, 1994**

**Brief Description:** Changing provisions relating to criminal jurisdiction on Skokomish tribal lands.

**SPONSORS:** Representatives Sheldon, Holm, Dellwo and Wineberry

**HOUSE COMMITTEE ON JUDICIARY**

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Niemi, Roach, Schow and Spanel.

**Staff:** Marty Lovinger (786-7443)

**Hearing Dates:** February 21, 1994

**BACKGROUND:**

Under U.S. Public Law 280 the state of Washington assumed civil and criminal jurisdiction over the Skokomish Indian Reservation. This gave the responsibility for criminal law enforcement to Mason County.

The state of Washington does not provide sufficient funding to Mason County to provide adequate law enforcement on the Skokomish Reservation. In addition, Mason County has insufficient resources for its own law enforcement needs. The Mason County Sheriff has seven fewer officers than it did ten years ago. It has been reported that officers often start their shifts several calls for assistance behind and might only be able to respond to the most serious incidents.

In 1991 the Skokomish Public Safety Department was established with some limited funding from the federal Bureau of Indian Affairs (BIA). This has allowed the Skokomish to hire two full-time officers. However, lack of funding threatens this limited program.

Tribes that have responsibility for criminal jurisdiction on their reservations are eligible for BIA law enforcement funding. The Skokomish are seeking retrocession of the state's criminal jurisdiction over the Skokomish Indian Reservation. It is felt that the Skokomish will be eligible for funds to adequately provide law enforcement on the reservation, which will benefit all of the people of Mason County through an overall increase in public safety services.

**SUMMARY:**

The Skokomish Tribe is added to the list of tribes which may request that the Governor retrocede criminal jurisdiction previously acquired by the state. The Governor is authorized to retrocede criminal jurisdiction over the Skokomish Indian Reservation. Retrocession does not create any authority for the Skokomish to exercise any criminal or civil jurisdiction over non-Indians.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** available

**TESTIMONY FOR:**

This bill is very important for the Skokomish Tribe and Mason County.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Representative Tim Sheldon, prime sponsor