

SENATE BILL REPORT

SB 6040

AS PASSED SENATE, FEBRUARY 9, 1994

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

SPONSORS: Senator Owen

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

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

Staff: Marty Lovinger (786-7443)

Hearing Dates: February 1, 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 does not have sufficient resources of its own to meet 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:

There is broad-based support for retrocession. This bill would enable the Skokomish Tribe to obtain funds to provide adequate law enforcement on the reservation and meet other responsibilities.

TESTIMONY AGAINST: None

TESTIFIED: Joseph Pavel, Chairman, Skokomish Tribe (pro); Bob Shepherd, Sheriff, Mason County (pro); Mary Murphy, League of Women Voters (pro)