



July 29, 2010

Mr. Merlin Johnson
P.O. Box 777
Mentone, California 92359

Dear Mr. Johnson,

We have received your July 16, 2010 letter, "Re: Colorado River Indian Tribes (CRIT)," requesting additional information. I will address your questions regarding CRIT officers carrying firearms and acting as peace officers within California. I will also attempt to answer the question of CRIT civil jurisdiction.

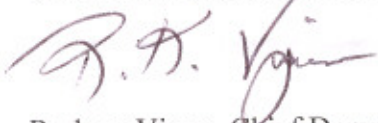
Your question of CRIT officers carrying firearms has a multi-faceted answer which I will attempt to simplify here. First, the Colorado River Indian Tribes possess inherent sovereignty, and their establishing and maintaining a police department is the ultimate expression of that sovereignty. The duties of a CRIT police officer include the carrying of firearms. Furthermore, in *Cabazon Band of Mission Indians v. Larry D. Smith* (2004) the United States Court of Appeals, Ninth Circuit, ruled that "*...the boundaries of Indian Country should not impede tribal officers' travel, use of marked vehicles, emergency response, or other aspects of their policing authority necessary to meet the officers' law enforcement obligations to their reservation community.*" Therefore, the state cannot prohibit CRIT police officers from carrying firearms in the performance of their duties.

Regarding your question of CRIT officers acting as peace officers, I will direct you to a letter sent to you dated July 9, 2010, which states that CRIT officers are not peace officers designated under 830§ of the California Penal Code. To be more specific, CRIT officers are not California state peace officers and do not have California state jurisdiction. However, CRIT officers are tribal peace officers within tribal jurisdiction. Additionally, Some CRIT officers may have federal peace officer status. I suggest you contact CRIT, or the United States Department of the Interior Bureau of Indian Affairs-Office of Justice Services to inquire about their statutory authority within those jurisdictions. To be very clear, all three jurisdictions (Federal, State, and Tribal) exist on an Indian reservation within a Public Law 280 state.

Lastly, regarding your question of CRIT's authority to enforce civil law off of reservation land, it is the position of the Riverside County Sheriff's Office that CRIT officers are not California state peace officers and are not authorized to enforce California state civil law.

Respectfully,

STANLEY SNIFF, JR. SHERIFF-CORNER

A handwritten signature in dark ink, appearing to read "R. D. Vigue". The signature is fluid and cursive, with the first name "Rodney" and last name "Vigue" clearly legible.

Rodney Vigue, Chief Deputy
Field Operations-East

RV:lrw