



July 28, 2008

National Indian Gaming Commission
Philip N. Hogen, Chairman
1441 L. Street NW
Suite 9100
Washington, DC 20005

Dear Chairman Hogen:

I am writing to you to formally express my safety concerns on behalf of the public and our state, county and local law enforcement officers. I do this as a direct result of recent actions taken by the Tribal Council of the Soboba Band of Luiseno Indians, located within Riverside County, California.

It is my recommendation that the Commission suspend their gaming operations unless and until the Tribal Council allows unhindered and unrestricted access by law enforcement authorities onto the reservation to enforce State of California criminal statutes.

As you are already aware, we have been in negotiations with the tribal council over the past few months and recently signed an agreement with them on July 7, 2008 that deals with collaborative efforts, but does not impact state criminal law enforcement pursuant to Public Law 280. Since that date, the Tribal Council has directed its tribal security (no state peace officer status or powers) and other tribal personnel to block, impede, delay and obstruct law enforcement officers coming onto the reservation for legitimate law enforcement business on behalf of the public.

California, like other states, has a series of overlapping jurisdictions among those agencies that enforce state criminal statutes. These include state, county and local municipal agencies that routinely interface with one another and our courts within our criminal justice system.

Although the actions of the Soboba Tribal Council are narrowly aimed at the Riverside County Sheriff's deputies in that jurisdiction, their actions have an adverse impact on a large number of other law enforcement agencies that also have jurisdiction in enforcing criminal law on the reservation: these include the California Highway Patrol (CHP), city police departments, DA Investigators, county probation, state parole, state bureau of narcotics enforcement (BNE) and other duly authorized law enforcement agencies enforcing criminal statutes under the authority of the state Penal Code.

After these restrictions were unilaterally noticed to Sheriff's officials, the Riverside County Sheriff's Department notified the Tribal Council that attempts to delay, obstruct or block law enforcement officers in the performance of their duties was a criminal offense in the State of California, and subjected those doing so to arrest and prosecution. The Tribal Council, although warned, has continued this month with guidance to their staff that places them in direct conflict with law enforcement, raising safety concerns for the public and for law enforcement officers.

The Soboba Tribal Council has attempted to blur the issue by indicating that access to the casino area is unrestricted while the contiguous reservation area will be closed to law enforcement authorities without permission to enter. This is really a distinction without difference, especially in light of the crime patterns that exist, including the recent incidents that have occurred there in recent months.

These Tribal Council actions create safety issues and place at equal risk, tribal members, their employees, and the thousands of members of the public that are patrons of the tribal businesses. It is our belief that their restrictions attempt to not only impede law enforcement officers in performing their legal responsibility, but also create potentially imminent jeopardy to the public.

The law enforcement position here is that all three of these groups of citizens are entitled to equal protection under state criminal law, and the standards of law enforcement practices are and ought to be the same.

In addition, there are already articulated safety concerns among communities bordering tribal lands. Our review of the history of crime incidents on the reservation, and a seeming trend for tribal members engaging law enforcement officers from a variety of agencies with high-power firearms, underscores our safety concerns on behalf of the public and officers from all agencies.

I do not take this request lightly and have steered clear of the gaming issue while productive working group discussions occurred during May and June. I have also directly stated to the tribal chairman the law enforcement requirement for unhindered access to the reservation so that public and officer safety is maintained, and our criminal investigations are not compromised.

Whether state, county or municipal law enforcement agency, we simply cannot accept the restrictions recently imposed by the Tribal Council. I therefore now appeal to you on behalf of Riverside County law enforcement and the public.

Sincerely,



STANLEY L. SNIFF JR., SHERIFF-CORONER

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Enclosures:

LA Times Article, dtd 10 June 08

Riverside County Sheriff's Department Agreement with Soboba, dtd 7 July 08