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AGREEMENT
 By and Between
 THE CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
 and
 THE STATE OF OREGON
 Regarding
 FRESH PURSUIT AND EXTRADITION

WHEREAS, on or about 12 Midnight, January 2, 1981, criminal jurisdiction over the Umatilla Indian Reservation was effectively transferred from the State of Oregon to the United States of America and the Confederated Tribes of the Umatilla Indian Reservation, by formal acceptance by the Secretary of the Interior of an offer to retrocede criminal jurisdiction over the Umatilla Indian Reservation made by Executive Order of Victor Atiyeh, Governor of Oregon, on May 13, 1980; and

WHEREAS, the change in jurisdiction necessitates the execution of certain agreements that will define and clarify the obligations and authorities of tribal, state and local law enforcement agencies operating on or about the Umatilla Indian Reservation and which will promote effective law enforcement; and

WHEREAS, the parties hereto are desirous of establishing procedures defining extradition processes and authorizing fresh pursuits; and

WHEREAS, the parties hereto agree that the terms of such agreement should be precise and concise with a minimum of complications, yet protect the civil rights of all concerned, it is hereby agreed that the following provisions shall apply to matters of FRESH PURSUIT AND EXTRADITION between the State of Oregon and the Umatilla Indian Reservation:

ARTICLE I

FRESH PURSUIT

Any duly authorized law enforcement officer of either the Umatilla Tribe or the State of Oregon, including any of its political subdivisions, who:

- (1) Observes the commission of a misdemeanor, including traffic infractions and crimes, and pursues the offender; or
- (2) Observes the commission of a felony or has reasonable grounds to suspect a felony has been committed, and pursues the offender,

shall be authorized to continue that pursuit across the boundary of the Umatilla Indian Reservation until the offender is apprehended, at which time the pursuing officer shall proceed as though the

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boundary had never been crossed and issue such citations or effect such arrests as are dictated by the situation.

ARTICLE II

EXTRADITION

Section 1. Tribal Warrant for Arrest of Indian Located off-Reservation.

Any warrant for the arrest of an enrolled member of an Indian tribe who is beyond the boundaries of the Umatilla Indian Reservation which is issued by the Umatilla Tribal Court shall, upon presentation to the state authorities, be handled in the same manner that the State of Oregon would handle a request for extradition submitted to the State of Oregon by any other state of the United States.

Section 2. State Warrant for Arrest of non-Indian Located on the Umatilla Indian Reservation.

A. Any warrant for the arrest of a person not enrolled in an Indian tribe who is within the boundaries of the Umatilla Indian Reservation, which is issued by a court of the State of Oregon or any of its political subdivisions, shall be presented to the Chief of the Umatilla Tribal Police prior to being executed if the Chief at that time is deputized by the Sheriff of Umatilla County.

B. Upon presentation, the Chief of the Tribal Police shall authorize execution of the warrant either by officers of the presenting agency, by officers of the Tribal Police, or by both.

C. Any warrant for the arrest of a non-Indian located on the Umatilla Indian Reservation presented by a state other than Oregon shall be executed as if it were a warrant issued by a court of the State of Oregon.

Section 3. State Warrant for Arrest of Indian Located on the Umatilla Indian Reservation.

A. Any warrant for the arrest of an enrolled member of an Indian tribe who is within the boundaries of the Umatilla Indian Reservation which is issued by a court of the State of Oregon or any of its political subdivisions shall, upon presentation to tribal authorities, be handled in accordance with tribal extradition laws. (Tribal Extradition Code attached and incorporated by reference).

B. Any warrant for the arrest of an enrolled member of an Indian tribe who is within boundaries of the Umatilla Indian Reservation which is issued by a court of a State other than the State of Oregon shall be executed in accordance with tribal extradition laws.

ARTICLE III


AMENDMENTS; REVOCATION

This agreement may be modified only by written agreement of the parties hereto. This agreement may be revoked by either party upon 60 days' prior notice in writing.

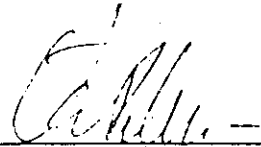
ARTICLE IV

EFFECTIVE DATE

This agreement, executed in duplicate, shall be effective when signed by both parties.



Ronald Halfmoon, Chairman
Board of Trustees of the
Confederated Tribes of the
Umatilla Indian Reservation



Victor Atiyeh, Governor
State of Oregon

10-07-81
DATE

9-21-81
DATE