

Tribal Police Officers  
House Bill No. 1226  
House Judiciary Committee  
Chairman, Representative Lawrence R. Klemin  
North Dakota State Capitol, Bismarck ND  
January 14, 2021

Presented by Scott J. Davis, Executive Director, North Dakota Indian Affairs Commission

Good morning Chairman Klemin and members of the Committee. My name is Scott Davis, Executive Director of the North Dakota Indian Affairs Commission. I am here today on behalf of my agency to provide testimony in support of House Bill 1126.

Entering my 12 year as Executive Director, my office has worked tirelessly in facilitating conversation, meetings and Memorandums of Agreements between Tribal, State, Local and Federal law enforcement agencies in promoting public safety. Although these efforts take time, understanding and trust we have been very successful in recognizing that a majority of law enforcement agencies are open to help, assistance and aid when called upon.

Obviously, I am not an officer, but my experience working directly with law enforcement agencies has shown me that often law enforcement needs to call on other agencies for assistance or to work in collaboration for public safety. In a rural state like North Dakota, law enforcement must be able to call on neighboring agencies for assistance when the closest backup may be over an hour away. Uniformed officers, including tribal police officers, have served in this function in support of our agency on multiple occasions. However, a lack of clarified language in North Dakota Century Code can hinder the ability for agency-to-agency assistance.

My experience has also shown me and have witnessed officers encounter situations where they are required to act in order to preserve public safety and the security of North Dakota citizens. The changes outlined in House Bill 1126 will update the North Dakota Century Code and clarify the authority of tribal police officers, if Tribal Governments so choose, to assist local law enforcement officers and respond to emergencies on and near the exterior boundaries of tribal lands.

This bill does not expand arrest authority, or impede on Tribal or State sovereignty, instead, it ensures our tribal law enforcement partners are covered in the event of an emergency or when a request for assistance is broadcast by another officer.

North Dakota shares geography with 5 tribal nations. Making these changes to Century Code will allow law enforcement in different jurisdictional boundaries to more seamlessly assist one another in times of need. These additions to century code will also assist in tribal and state relationships and collaborative law enforcement efforts. This bill clarifies authority while respecting jurisdictional boundaries.

This bill is good for law enforcement and most importantly good for public safety and North Dakota and Tribal Citizens.

This concludes my testimony and I am happy to answer any questions.

Thank you.