

Tribal Law Enforcement, 2008

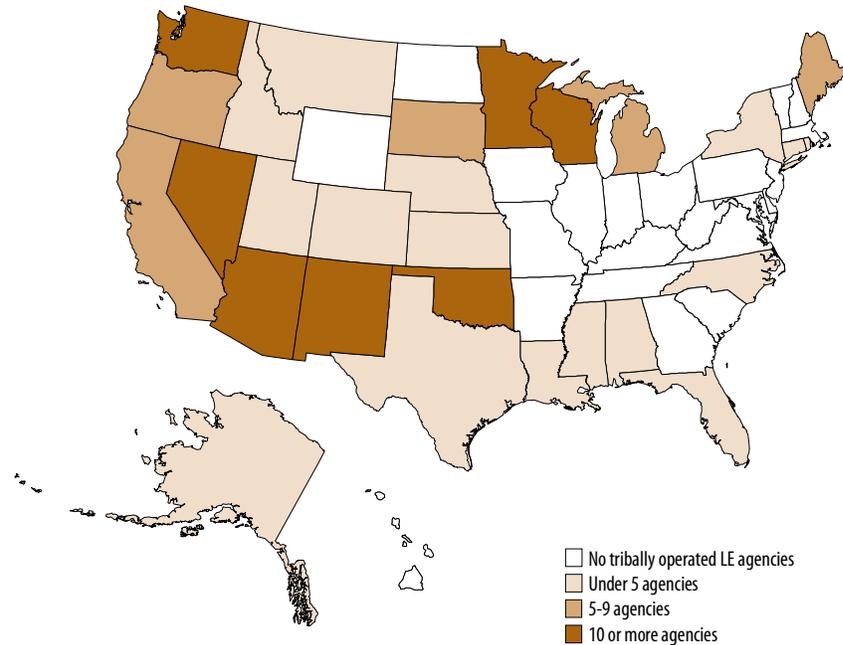
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In September 2008, American Indian tribes operated 178 law enforcement agencies that employed at least one full-time sworn officer with general arrest powers or the equivalent in part-time officers. The total includes 157 general purpose tribal police departments and 21 special jurisdiction agencies tasked with enforcing natural resources laws that pertain primarily to hunting and fishing on tribal lands.

Collectively, tribes operated law enforcement agencies in 28 states. Washington (24), Arizona (22), Oklahoma (19), and New Mexico (17) had the largest numbers of tribal law enforcement agencies ([figure 2.1](#)). These findings are based on the 2008 Bureau of Justice Statistics' (BJS) Census of State and Local Law Enforcement Agencies.

In addition to tribally operated agencies, the Department of the Interior's (DOI) Bureau of Indian Affairs (BIA) operated 42 agencies that provided law enforcement

FIGURE 2.1
Location of tribally operated law enforcement agencies, 2008



Source: Bureau of Justice Statistics, *Census of State and Local Law Enforcement Agencies, 2008*

Highlights

- Tribally operated law enforcement agencies employed nearly 4,600 full-time personnel, including about 3,000 sworn officers.
- The largest tribal law enforcement agency, the Navajo Police Department, employed 393 full-time sworn personnel in Arizona, New Mexico, and Utah.
- Eleven of the 25 largest tribal law enforcement agencies served jurisdictions covering more than 1,000 square miles.
- Overall, tribal police departments cost about \$257 per resident to operate during FY 2008.
- In addition to law enforcement functions, nearly all tribal police departments performed court-related functions, such as court security and serving process.
- More than half of tribal police departments used community policing officers, and more than a third used school resource officers.
- About 4 in 5 tribal police departments participated in one or more multiagency task forces.

services in Indian country. Nationwide, BIA employed 277 full-time sworn personnel in 2008. Along with direct oversight of its own programs, BIA also provided technical assistance and some oversight to tribally operated agencies.

On the more than 300 federal Indian reservation areas in the U.S., police officers may be tribal, federal, state, county, or municipal employees. Some areas may be served by more than one type of officer.

Commonly, tribal police department funding, administration, and employees are based on the Indian Self-Determination and Education Assistance Act of 1975, (Public Law 93-638 or P.L. 638). This law allowed tribes to assume responsibility for many programs previously administered by the federal government, including law enforcement. P.L. 638 agencies operate with tribal employees under contract and with financial assistance from the BIA.

Tribally operated agencies can also function under a self-governance compact with the BIA. This arrangement provides block grant payments, allowing for more tribal control than the line item funding of P.L. 638 contracts. Full tribal control over law enforcement services exists where such services are entirely funded by the tribal government.

Jurisdiction over offenses in Indian country may lie with federal, state, or tribal agencies, depending on the offense, offender, victim, and offense location. Most tribes have cross-deputization agreements, often with neighboring nontribal agencies. These agreements allow law enforcement personnel from state, local, and tribal entities to cross jurisdictions in criminal cases, and can be used to

enhance law enforcement capabilities in areas where state and tribal lands are contiguous and intermingled. In some instances, the number of agreements is large. For example, the Cherokee Nation Marshal Service is cross-deputized with 50 municipal, county, state, and federal agencies.

Tribal police departments employed 2.3 full-time officers per 1,000 residents

In September 2008, the 178 operating tribal law enforcement agencies employed more than 4,500 full-time personnel, including about 3,000 sworn officers (table 2.1). The 157 general purpose tribal police departments employed 4,294 full-time personnel, including 2,835 sworn officers and 1,459 civilian personnel. These agencies employed an additional 129 part-time personnel, including 80 sworn officers (not shown in table).

The 21 natural resources agencies employed 271 full-time personnel, including 164 sworn officers and 107 civilian employees. These natural resources agencies also employed 11 part-time personnel, including 7 sworn officers (not shown in table).

General purpose tribal police departments had a combined service population of about 1.2 million residents.* This corresponds to about 2.3 full-time sworn officers per 1,000 residents, which was the national average for all local police departments as of 2007. (See *Local Police Departments, 2007*, BJS Web, December 2010.) Collectively, tribal police departments cost \$257 per resident to operate for 2008 (not shown in table). In 2007 the national average for all local police departments was \$260 per resident.

*Based on the American Indian service population counts published in BIA's *American Indian Population and Labor Force Report, 2005*. The service population is the total number of enrolled tribal members and members from other tribes who live on or near the reservation and are eligible to use the BIA-funded tribal services. The service population excludes any non-Indian residents served by a tribally operated law enforcement agency and other persons using roads, stores, casinos, and other public places on tribal land.

TABLE 2.1
Tribally operated law enforcement agencies, by type of agency and number of full-time sworn personnel, 2008

| Type of agency and number of full-time sworn personnel | Number of agencies | Number of full-time employees | | |
|--|--------------------|-------------------------------|-------|----------|
| | | Total | Sworn | Civilian |
| All agencies | 178 | 4,565 | 2,999 | 1,566 |
| General purpose police departments | | | | |
| Total | 157 | 4,294 | 2,835 | 1,459 |
| 50 or more | 6 | 1,397 | 871 | 526 |
| 25-49 | 19 | 955 | 607 | 348 |
| 10-24 | 61 | 1,380 | 955 | 425 |
| 5-9 | 47 | 479 | 332 | 147 |
| Under 5 | 24 | 83 | 70 | 13 |
| Natural resources agencies | | | | |
| Total | 21 | 271 | 164 | 107 |
| 10-24 | 8 | 154 | 107 | 47 |
| 5-9 | 4 | 38 | 29 | 9 |
| Under 5 | 9 | 79 | 28 | 51 |

11 of the 25 largest tribal law enforcement agencies served jurisdictions of more than 1,000 square miles

The 25 largest tribally operated agencies employed at least 25 full-time sworn personnel. The largest agency, the Navajo Police Department, employed 393 full-time officers to serve tribal lands in Arizona, New Mexico, and Utah (table 2.2). The next largest were the Seminole Police Department (Florida) with 144 officers, and the Salt River Police Department (Arizona) with 125 officers.

The BIA service population for the 25 largest agencies ranged from less than 1,000 to about 200,000 residents. Although not all reservations are open to the public, many tribal law enforcement agencies deal with a significant number of daily visitors in addition to the resident population. The natural resources of tribal lands attract visitors, as do conference facilities and casinos. All of the 25 largest agencies had at least one casino operating within their jurisdictional area.

The amount of land area served by a tribal law enforcement agency can be quite large. For example, the Navajo Police Department has jurisdiction over about 22,000 square miles, a larger land area than any county in the continental United States. Ten other agencies among the 25 largest had jurisdictional areas exceeding 1,000 square miles, a larger land area than any city in the continental United States.

TABLE 2.2
The 25 largest tribally operated law enforcement agencies, by the number of full-time sworn personnel, 2008

| Name and location of agency | Number of full-time sworn personnel | BIA service population, 2005 | Full-time sworn personnel per 1,000 residents | Reservation land area (square miles) | Full-time sworn personnel per 25 square miles |
|---|-------------------------------------|------------------------------|---|--------------------------------------|---|
| Navajo Police Department (AZ, NM, UT) | 393 | 192,067 | 2.0 | 22,174 | 0.4 |
| Seminole Police Department (FL) | 144 | 3,165 | 45.5 | 141 | 25.5 |
| Salt River Police Department (AZ) | 125 | 7,313 | 17.1 | 81 | 38.6 |
| Gila River Indian Community Police Department (AZ) | 93 | 14,966 | 6.2 | 584 | 4.0 |
| Tohono O'odham Police Department (AZ) | 66 | 26,673 | 2.5 | 4,453 | 0.4 |
| Choctaw Police Department (MS) | 50 | 8,313 | 6.0 | 25 | 50.0 |
| Oglala Sioux Tribe Department of Public Safety (SD) | 49 | 43,146 | 1.1 | 3,159 | 0.4 |
| Cherokee Indian Police Department (NC) | 45 | 13,562 | 3.3 | 83 | 13.6 |
| Muscogee (Creek) Nation Lighthorse Tribal Police (OK) | 39 | 55,817 | 0.7 | 4,648 | 0.2 |
| Miccosukee Police Department (FL) | 36 | 589 | 61.1 | 128 | 7.0 |
| Poarch Creek Tribal Police Department (AL) | 33 | 1,567 | 21.1 | 0.4 | -- |
| Cherokee Nation Marshal Service (OK) | 32 | 197,684 | 0.2 | 6,702 | 0.1 |
| Choctaw Nation Tribal Police Department (OK) | 32 | 99,371 | 0.3 | 10,613 | 0.1 |
| Colville Tribal Police Department (WA) | 32 | 5,052 | 6.3 | 2,117 | 0.4 |
| Saginaw Chippewa Tribal Police Department (MI) | 30 | 1,799 | 16.7 | 218 | 3.4 |
| Tulalip Tribal Police Services (WA) | 30 | 2,869 | 10.5 | 35 | 21.4 |
| Warm Springs Tribal Police Department (OR) | 30 | 4,079 | 7.4 | 1,011 | 0.7 |
| White Mountain Apache Police Department (AZ) | 30 | 12,213 | 2.5 | 2,628 | 0.3 |
| Isleta Police Department (NM) | 29 | 3,980 | 7.3 | 331 | 2.2 |
| Yakama Nation Tribal Police Department (WA) | 28 | 16,815 | 1.7 | 2,153 | 0.3 |
| Pascua Yaqui Tribal Police Department (AZ) | 27 | 14,787 | 1.8 | 2 | -- |
| Puyallup Tribal Police Department (WA) | 27 | 24,016 | 1.1 | 29 | 23.3 |
| Rosebud Sioux Tribal Police Department (SD) | 27 | 22,293 | 1.2 | 1,388 | 0.5 |
| Red Lake Tribal Police Department (MN) | 26 | 10,338 | 2.5 | 880 | 0.7 |
| Oneida Indian Nation Police (NY) | 25 | 650 | 38.5 | 0.1 | -- |

Note: Land area data are from the U.S. Census Bureau, and include reservation land only.

--Reservation land area is less than 25 square miles.

Tribal law enforcement agencies were responsible for a broad range of services and functions during 2008

Nearly all general purpose tribal police departments were responsible for traditional law enforcement functions, such as routine patrol (100%), responding to citizen requests for service (100%), special events and crowd control (98%), criminal investigation (96%), and traffic enforcement (96%) (figure 2.2). About 4 in 5 departments were responsible for parking enforcement (80%), and about 2 in 3 departments dispatched calls for service (66%).

About 3 in 5 general purpose tribal police departments had full-time community policing officers

A majority of tribal police departments used a community policing approach in their efforts to prevent crime and maintain partnerships with the communities they serve. About three-fifths (59%) of departments had full-time sworn personnel serving as community policing officers (table 2.3). As of September 2008, about 500 tribal police officers were designated as community policing officers. In 2000, 73% of tribal agencies reported using community policing officers, with about 700 designated as such.

TABLE 2.3
Use of community policing and school resource officers by tribal police departments, 2000 and 2008

| | 2000 | 2008 |
|------------------------------------|------|------|
| Community policing officers | | |
| Percent of agencies using | 73% | 59% |
| Number of officers | 714 | 503 |
| School resource officers | | |
| Percent of agencies using | 37% | 36% |
| Number of officers | 162 | 82 |

For more than a third (36%) of tribal police departments, community policing efforts extended into the schools, with 82 full-time sworn personnel assigned as school resource officers. Although the percentage of departments using school resource officers in 2008 was about the same as in 2000 (37%), the total number of officers was about half of 2000 levels.

Nearly all tribal police departments performed a variety of court-related functions

In addition to law enforcement duties, nearly all tribal police departments were responsible for a variety of court-related functions (figure 2.3). The most common functions were executing arrest warrants (95%), enforcing protection orders (92%), serving process (89%), apprehending fugitives (88%), and providing court security (75%).

FIGURE 2.2
Selected law enforcement functions performed by tribal police departments, 2008

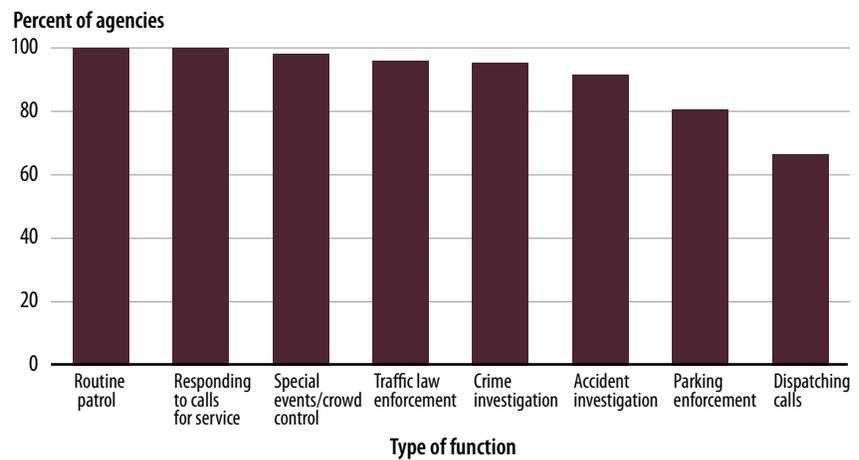
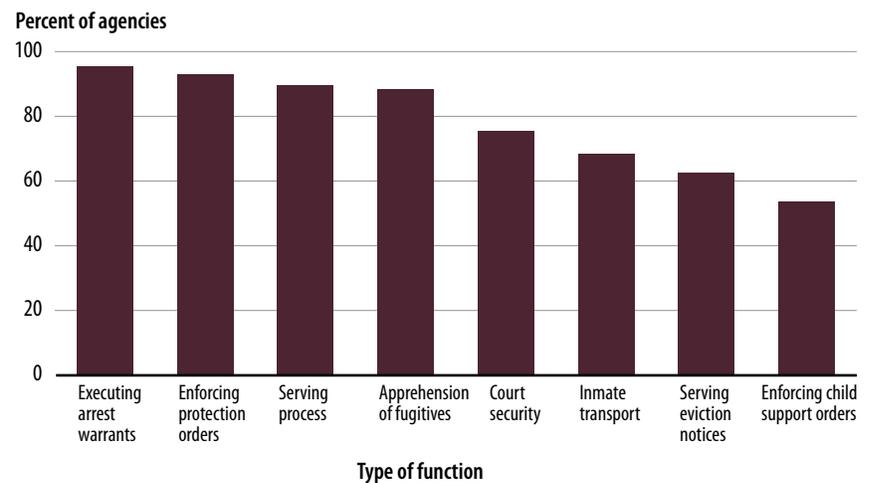


FIGURE 2.3
Selected court-related functions performed by tribal police departments, 2008



Nearly half of tribal police departments were responsible for search and rescue operations

Nearly 9 in 10 tribal police departments performed one or more special public safety functions, the most common being emergency management (65%) and animal control (64%) (figure 2.4). About a third (31%) provided emergency medical services. Nearly a fifth provided fire services (19%) and school crossing services (18%).

More than half (58%) of tribal police departments performed at least one specialized function, such as search and rescue (43%), tactical operations (26%), or underwater recovery (10%). About 1 in 6 agencies operated at least one jail (17%), and about 1 in 10 agencies operated an overnight lockup facility separate from a jail (10%). (For more information, see *Jails in Indian Country, 2009*, BJS Web, February 2011.)

The 21 special jurisdiction agencies, whose primary focus was the enforcement of natural resources laws, performed a variety of functions as well. In addition to providing patrol and response services, a majority of these agencies performed the following functions: criminal investigation (82%), search and rescue (71%), apprehension of fugitives (59%), animal control (59%), traffic enforcement (59%), and dispatching calls for service (53%) (not shown in figure).

About two-thirds of general purpose tribal police departments participated in a multiagency drug task force

About 4 in 5 (78%) tribal police departments partnered with federal, state, and local agencies in multiagency task forces to combat crime problems in Indian country during 2008. These task forces allow participating agencies to share in pooled resources, information, and expertise across jurisdictional boundaries.

Tribal police departments were most likely to participate in task forces formed to combat drug trafficking (66% of agencies) (figure 2.5). About 2 in 5 (41%) departments participated in multiagency gang task forces, and about a third (32%) participated in violent crime task forces. Smaller percentages of tribal police departments participated in anti-terrorism (17%) or human trafficking (9%) task forces.

FIGURE 2.4
Selected special functions performed by tribal police departments, 2008

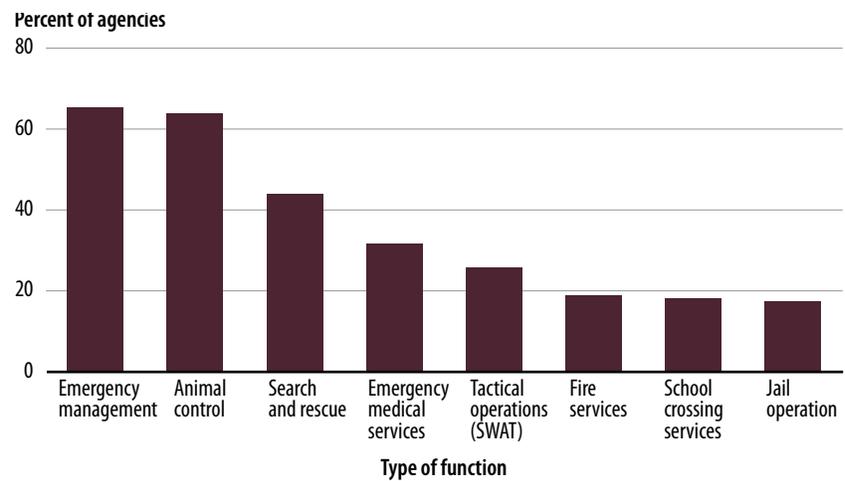
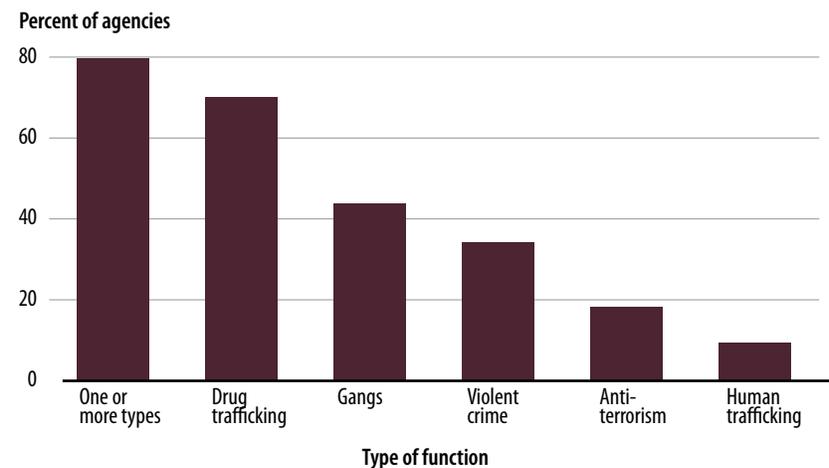


FIGURE 2.5
Task force participation of tribal police departments, 2008



Methodology

The Bureau of Justice Statistics' (BJS) Census of State and Local Law Enforcement Agencies (CSLLEA) is conducted every 4 years to provide a complete enumeration of agencies and their employees. Employment data are reported for sworn and nonsworn personnel and, within these categories, by full-time or part-time status. Agencies also complete a checklist of functions they regularly perform, or for which they have primary responsibility.

The CSLLEA provides national data on the number of state and local law enforcement agencies and employees for general purpose local police departments (including tribal agencies), sheriffs' offices, the primary state law enforcement agencies, and special jurisdiction (e.g., natural resources) agencies. It also serves as the sampling frame for BJS surveys of law enforcement agencies.

The 2008 CSLLEA form was mailed to approximately 20,000 agencies that were determined to potentially be operating on the reference date of September 30, 2008. This master list was created by compiling information from the following sources:

- the 2004 CSLLEA
- lists provided by Peace Officer Standards and Training offices, and other state agencies
- an FBI list of agencies requesting new identifiers since the 2004 CSLLEA.

Responding agencies were screened for eligibility and were excluded if any of the following conditions existed on the CSLLEA reference date of September 30, 2008:

- The agency employed only part-time officers, and the total combined hours worked for these officers averaged less than 35 hours per week.
- The agency contracted or outsourced to another agency for performance of all services.
- The agency was closed, a duplicate listing, or otherwise an invalid entry on the master list.
- The agency did not employ personnel with general arrest powers.
- The agency did not operate with funds from a state, local, special district, or tribal government.
- All sworn officers volunteered their time on an unpaid basis.

Data on number and type of personnel were obtained from all eligible tribal agencies. For general purpose tribal police departments, the item response rates were as follows: community policing and school resource officers, 100%; agency functions, 99%; task force participation, 99%; and operating budget, 87%.

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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. James P. Lynch is director.

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This report in PDF and in ASCII and its related statistical data and tables are available at the website: <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=1599>.