

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 1839

(SENATE AUTHORS: SKOE)

DATE	D-PG	OFFICIAL STATUS
03/18/2015	966	Introduction and first reading Referred to Judiciary

A bill for an act
relating to public safety; allowing Red Lake Band of Chippewa Indians law
enforcement officers to exercise arrest authority over non-Indians for offenses
committed within the exterior boundaries of the tribe's reservation; proposing
coding for new law in Minnesota Statutes, chapter 626.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[626.945] LAW ENFORCEMENT AUTHORITY; RED LAKE TRIBAL
POLICE OFFICERS.**

Subdivision 1. **Definition.** As used in this section, "tribe" means Red Lake Band of
Chippewa Indians, a federally recognized Indian tribe, as defined in United States Code,
title 25, section 450B(e), located within the state of Minnesota, but does not include a
tribe, band, or community described in section 626.90, 626.91, 626.92, or 626.93.

Subd. 2. **Tribal law enforcement agency requirements.** A tribe may exercise law
enforcement authority over non-Indians within its exterior boundaries only if it meets the
following requirements:

(1) the tribe's governing body has authorized its tribal police officers to enforce
criminal laws within the exterior boundaries of the tribe's reservation, the tribe agrees to
be subject to section 13.82 and any other laws of the state relating to data practices of law
enforcement agencies for those incidents or arrests of non-Indians;

(2) the tribe maintains federal contracting under self-governance and federal tort act
coverage, no additional insurance mandate shall apply; and

(3) the tribe contracts directly with the Board of Peace Officer Standards and
Training for certifications of its police officers.

Subd. 3. **Concurrent jurisdiction.** There shall be no requirement for concurrent
jurisdiction provided that subdivision 2 is met.

2.1 Subd. 4. **Cooperative agreements.** In order to coordinate, define, and regulate
2.2 the provision of law enforcement services and provide for mutual aid and cooperation,
2.3 governmental units and the tribe shall enter into agreements under section 471.59. For the
2.4 purposes of entering into these agreements, the tribe shall be considered a "governmental
2.5 unit" as defined in section 471.59, subdivision 1.

2.6 Subd. 5. **Effect on sovereign immunity.** Nothing in this section shall be construed
2.7 to waive the tribe's sovereign immunity.

2.8 Subd. 6. **Effect on federal law.** Nothing in this section shall be construed to restrict
2.9 the tribe's authority under federal law.

2.10 Subd. 7. **Construction.** This section is limited to law enforcement authority only,
2.11 and nothing in this section shall affect any other jurisdictional relationships or disputes
2.12 involving the tribe or current reservation boundaries.