Traffic Safety on Tribal Lands

National LEL Program Webinar
July 20, 2016
Today’s Panel

Facilitator
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  NHTSA Region 10 LEL

Panelists
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• Darrin Grondel
  Director, Washington State Traffic Safety Commission
• MJ Haught
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A little about IHSP

- The Indian Highway Safety Program is responsible for providing services to over 560 Native American/Alaskan Tribes in the United States.
- We are located in Albuquerque NM and included in the National Highway Traffic Safety Administration’s Region 6.
- Our office staff consists of: Director, Program Coordinator, Financial Analyst, Law Enforcement Liaison and two Law Enforcement Assistants.
Where is the identified need?
Why do we need the Indian Highway Safety Program

- Of the BIA’s 1,834 total traffic fatalities from 2009 through 2013:
  - 51.0% were drivers
  - 43.3% involved alcohol-impaired driving
  - 42.6% were unrestrained occupants
  - 36.6% involved speeding
  - 31.0% were passengers
Washington Traffic Safety Commission

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Key Principles

- Each tribe is unique
- Involve tribes in finding solutions
- Connect tribes with resources
- Relationships are key – active programs with strong tribal participation
- Improving data collection
- Awareness of culture in framing programs
Challenges

* Jurisdictional issues
* Data collection and sharing
* Turnover in tribal government
* Cultural differences
* Memorandums of Understanding (MOUs)
Safe On All Roads (SOAR) Program
QUESTION 1
Where is the identified need?

Motor vehicle-related death rates per 100,000 population—American Indian/Alaskan Natives aged 1-44 years, United States, 2003-2007.
QUESTION 2
Tribal Traffic Safety Advisory Board
QUESTION 3
Key Principles

* Each tribe is unique
* Involve tribes in finding solutions
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QUESTION 4
IHSP Tribal program performance

- FY2015-37 programs reported 5,964 DUI arrests on Indian Country.
- FY2015 Indian Country seat belt usage increased 74.3%, this is still under the national average-but its an upward movement from FY2014.
- FY2014 speeding citations issued totaled 32,674
- FY2014 Traffic citations issued totaled 30,613
The rate of our Native American People dying in traffic crashes because they aren’t using their seat belts is 7 times higher than everyone else.
QUESTION 6
Challenges

* Jurisdictional issues
* Data collection and sharing
* Turnover in tribal government
* Cultural differences
* Memorandums of Understanding (MOUs)
QUESTION 7
IHSP fundable programs

Police Traffic Services grants (PTS)

PTS grants are traffic enforcement grants that are awarded to Tribal Police Departments. The performance grant will focus on Impaired driving, Occupant Protection and other traffic enforcement/safety activities. A tribal application is required to qualify for all IHSP grants. Grant applications must include population, road miles, land base and traffic data information to include:
- Total number of Motor Vehicle Crash (MVC) fatalities
- Total number of alcohol-related MVC fatalities
- Total number of speed-related MVC fatalities
- Total number of MVC fatalities involving driver with BAC of .08+
- Total number of drivers age 20 or younger involved in MVC fatal crashes
- Total number of motorcyclist fatalities
- Total number of un-helmeted motorcyclist fatalities
- Total number of pedestrian fatalities
- Total number of unrestrained occupant MVC fatalities, all seat positions
- Total number of motor vehicle crashes
- Total number of motor vehicle injury crashes
- Total number of alcohol-related MVC crashes
- Total number of speed-related MVC crashes
- Total number of traffic citations
- Total number of speed citations
- Total number of DUls
- Total number of safety belt citations
- Total number of CPS citations
QUESTION 8
QUESTION 9
Northern Tribes DUI Taskforce

JOIN US WITH A MESSAGE TO OUR GRADUATES:

Your future starts now.

Be a sober driver... have a sober driver.
IHSP fundable programs

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- Total number of motor vehicle injury crashes
- Total number of alcohol-related MVC crashes
- Total number of speed-related MVC crashes
- Total number of traffic citations
- Total number of speed citations
- Total number of DUls
- Total number of safety belt citations
- Total number of CPS citations
QUESTION 11
Civil and Criminal Jurisdiction In Indian Country

Tribal jurisdiction in Washington is incredibly complex. The purpose of this communiqué is to offer a 30,000 foot overview of civil and criminal jurisdiction. Keep in mind that new statutes and case law are continually changing jurisdictional issues.

There are 29 federally-recognized American Indian tribes and nations (tribes) in Washington. Each tribe has its own government and laws. Generally, a tribe has a closer relationship with the federal government than with state and local governments. However, some tribal police departments have memoranda of understanding or cross-deputization arrangements with local government law enforcement agencies. Also, some tribal police officers have general authority under RCW 10.92.

What is Indian Country?

Indian Country for federal criminal jurisdiction purposes is defined by 18 U.S. Code § 1151 to include all land within the limits of any Indian reservation (includes both fee and trust land within reservation boundaries) and trust lands outside the reservation boundaries, including rights-of-way. Fee land can be purchased for cash, by donation, or by condemnation. Certain parcels of land can be converted from trust land to fee land by agreement with the tribe.

A federal Indian reservation can be created by treaty, or by Congress upon approval of the tribe. The tribe must consent to reservation status and it must be recognized by the United States. Indian land can be held in trust for the tribe. However, if the tribe cedes its interest in a parcel of land, the United States, as a result, becomes the owner of the land and the tribe loses any rights to the land.
QUESTION 12
Teen Traffic Safety
In FFY 2015, a total of 939 citations were written by Flathead, Fort Belknap and Fort Peck Tribal law enforcement. This is almost double the citations issues in 2014. FFY 2015 had the following highlights:

- 41 DUI citations
- 44 Seatbelt citations
- 2 Speeding citations and warnings

Establish DUI and Seatbelt checkpoints with the purpose of either apprehending an impaired driver or checking for driver’s and occupant restraint systems.

Fort Peck Reservation has a primary seat belt law and a law prohibiting cell phone use.
QUESTION 13
QUESTION 14
QUESTION 15
IHSP BATmobile on dedication day
QUESTION 16
IN CLOSING
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