

BRIDGING CULTURES TO BUCKLE UP:

A Guide for Working With Tribes to Increase Seat Belt Use



U.S. Department
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**National Highway
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Project Team and Acknowledgement

The development of this guide was made possible through a collaborative effort of representatives from Indian Country across the United States, including Tribes, nations, bands, villages, pueblos, rancherias, as well as State and Federal transportation safety officials and Tribal liaisons.

Project Team

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Photo: Tribal Public Health, LLC

Regional Working Groups

Regional working groups involved a broad spectrum of partners including local law enforcement (both Tribal and city/county), members of the National Highway Traffic Safety Administration's Regional Office, Tribal officials and representatives, Highway Safety Office officials, public health officials, and others. Several Tribal Advisory Council members also participated in these working groups.

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Preface

This guide is for State and local officials interested in partnering with Tribes in their State to improve traffic safety through occupant protection, specifically seat belt use. The guide was developed in response to a solicitation from the NHTSA, which provided a funding opportunity to understand why seat belt use differed so dramatically in Tribal as compared to non-Tribal communities, by asking the these questions: *What are the unique challenges Tribes face? How do we better partner with Tribes to improve safety?* The project team developed the guide with input and feedback from a series of nine working group meetings held in 2023 and 2024 that included Tribal and State representatives. The team also collected in-depth feedback from a Tribal Advisory Council whose nine members have vast knowledge, skills, and experience in traffic safety. The team met with the Tribal Advisory Council three times throughout the guide's development. One of these meetings was an in-person, day-long meeting designed to elicit thorough and critical feedback on the initial guide draft.

Use of the Guide

This guide is not and cannot be all-encompassing. Each Tribe has unique culture and traditions, as well as specific strengths and needs. A list of resources at the end of the guide serves as a starting point for State and local officials interested in learning more about various Tribes.

Because Tribes are so unique, there is no perfect term to refer to them collectively. This guide uses the term “Indian Country” to broadly describe these Tribal communities whether they be nations, bands, villages, pueblos, and rancherias across the United States. “Tribal lands” refer to a specific geographic areas designated for use by Tribal members. The term “Tribe” includes all American Indian and Alaska Native Tribes, villages, and groups.

The term “occupant protection” refers to the subset of traffic safety issues most relevant to this guide, such as seat belt use or child passenger safety.

Consider the Commitment Required

For meaningful impact, strong commitment to the outcome is required, along with an understanding that results take time and appropriate effort. Engaging in a single effort—hosting one meeting with Tribal leaders or attending one event—will not result in lasting change or meaningful relationships with Tribal members.



Introduction to the Guide

This guide was developed in close consultation with Tribal members from different Tribes to offer context for understanding Tribes' perspective on occupant protection. Specifically, it provides a framework—based on asking questions and listening—to build understanding and trust between Tribes and the State and local officials with whom they will work. It includes an overview of sovereignty, Tribal land status, and Indigenous Knowledge and practices and their impact on laws, enforcement, partnerships, and data. Finally, the guide will help State and local officials begin working with Tribes, including ways to design funding mechanisms to better respond to the needs of Tribes.

Audience

The guide is intended to support State and local officials' work with Tribes to improve occupant protection and increase seat belt use. Target audiences include:

- State and local transportation and highway safety officials,
- State and local law enforcement,
- State and local public health entities,
- Other State and local safety organizations, and
- Non-government safety advocates.

Goals

The goals of the guide are to:

1. Enhance State and local officials' knowledge and understanding of American Indian/Alaska Native Tribes, including factors that influence occupant protection and seat belt usage in Indian Country; and
2. Enable readers to engage and work with Tribes more meaningfully and effectively in developing culturally driven projects and programs to improve safety, increase occupant protection, and save lives.

Sovereignty

There are nearly 600 Federally recognized Tribes in the United States, all with customs, traditions, and practices of governing that make them unique. These Tribes are sovereign governments according to the U.S. Constitution. The only three other entities with this designation are the Federal Government, State governments, and foreign governments. As sovereign nations, Federally recognized Tribes possess all the powers of self-governance, including the rights to do the following:

- Form a government;
- Make and enforce laws, both civil and criminal;
- Tax property or sales;
- Establish and determine Tribal membership;
- License and regulate activities within their jurisdiction; and
- Exclude people from Tribal lands (Indian Affairs, 2017a).



Photo: Tribal Public Health, LLC

Every Tribe is different with its own unique customs, history, and decision-making processes. To learn about one Tribe, is to learn about one Tribe.

History and Context

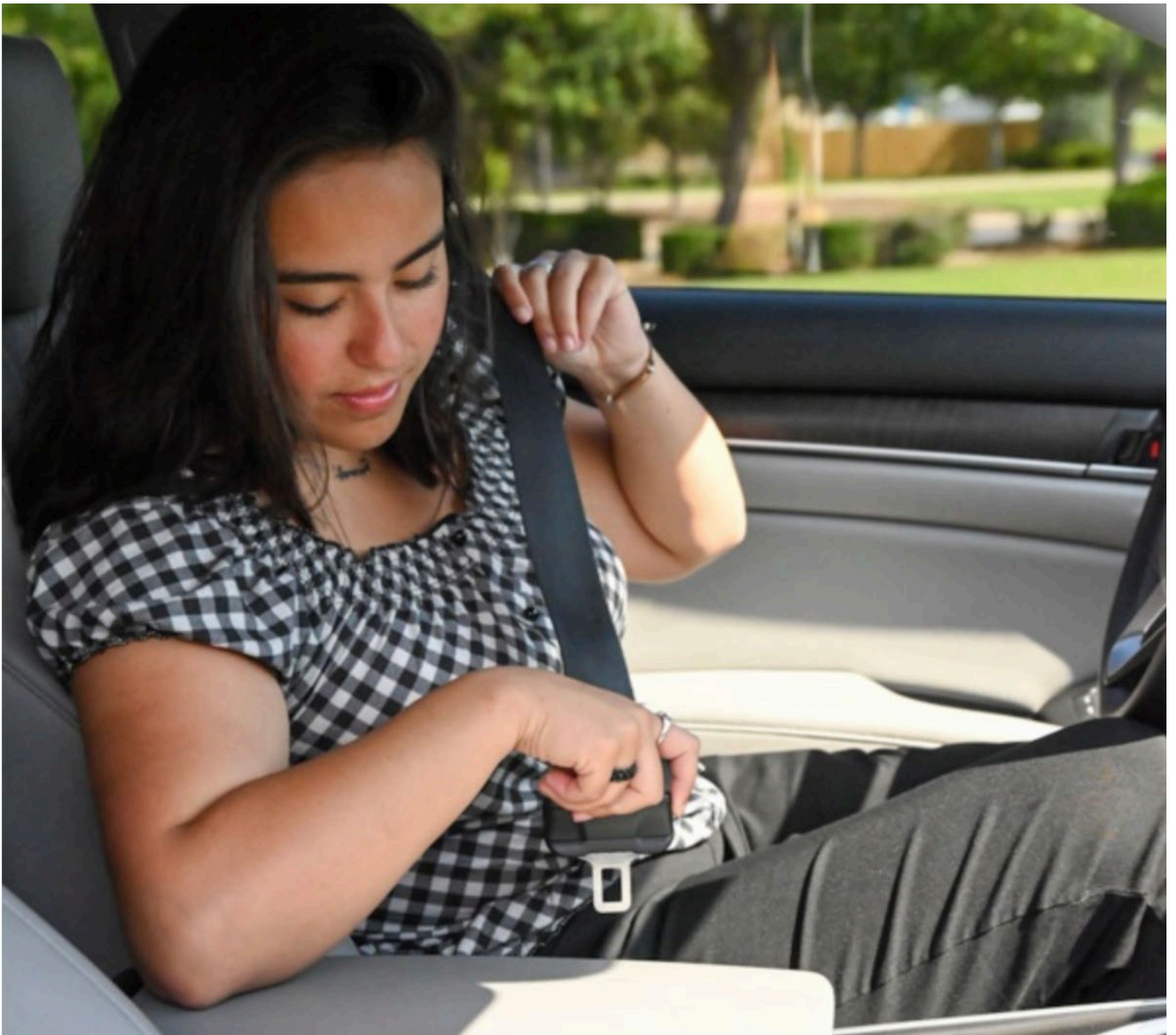
The United States has a legal obligation under which it “has charged itself with moral obligations of the highest responsibility and trust” toward Indian Tribes (*Seminole Nation v. United States*, 1942, as cited in Indian Affairs, 2017c).

As a people (i.e., American Indian and Alaska Natives), Tribes are disproportionately affected by motor vehicle crashes; they are injured or killed in motor vehicle crashes at higher rates than other racial and ethnic groups (National Highway Traffic Safety Administration, 2020). Additionally, seat belt use among American Indian and Alaska Native people is lower than that of the overall United States population (Centers for Disease Control and Prevention, 2024). These lower seat belt use rates are a contributing factor to higher crash death rates. Tribal strength to overcome public health and other challenges is encompassed in their cultural beliefs and practices; many Tribes believe that culture is prevention. Yet Indigenous Knowledge and practices (i.e., culture) have not historically been supported or funded by Federal grants.

Engagement Through Questions

This guide can be useful to State and local officials who are interested in working with Tribes to improve seat belt use. Meaningful engagement with Tribes is best approached with respect for and commitment to learn about Tribal sovereignty, Tribal processes, and Tribal priorities. Once this information is learned, State and local officials can listen to Tribal members about how they want traffic safety programs supported and then plan non-Tribal and Tribal collaborative projects (e.g., grant funding opportunities) to better meet the needs of Tribes.

Asking questions is an important way to learn from others, and sometimes it is difficult to know what questions to ask. **Each section of this guide includes potential questions to consider asking yourself or Tribal members to learn more about Tribal perspectives and practices regarding specific issues.** In addition, the Resources section at the end of the guide includes other ways to learn about Tribes generally and those in your area.





Fundamentals

This section summarizes the basics of sovereignty, Tribal land status, and Indigenous Knowledge and practices, and the impact these topics have on laws and traffic enforcement related to occupant protection. The aim is to provide insight into the intricacies of relationships between Tribal, State, and Federal governments in the United States.

What Is Sovereignty?

Tribes are recognized as sovereign governments. Tribal sovereignty is an inherent right enshrined in the constitution (National Conference of State Legislatures, 2013). Because Tribes are sovereign, when they work with other sovereign entities (i.e., the Federal or State governments), they operate on a “government-to-government” principle, meaning each treats the other like a separate nation in most respects (Northwest Center for Public Health Practice, n.d.).

What Does Sovereignty Mean to Tribes?

Tribal sovereignty means that any decisions about Tribes, including their property and citizens, are made with their participation and consent. Tribes retain their sovereignty in all mutual aid agreements. When working with a Tribe, keep the following in mind.

- Any occupant protection effort is between two sovereign governments—the Tribe and the State or locality.
- Anyone visiting Tribal communities is a guest on their land.
- Tribes should always retain their sovereignty; they should not be asked to relinquish or compromise their sovereignty in mutual agreements or complex legal documents.
- The State and the Tribe are working together to address a common cause. Tribes have authority over the causes they want to address.
- Both parties must consent to the terms of the effort.

To learn more, consider asking the Tribe:

- *How does this Tribe exercise its sovereignty related to occupant protection?*
- *How do Tribal community members' views on sovereignty affect occupant protection?*

Sovereignty and Tribal Lands

Generally, Tribal lands are exempt from the State’s jurisdiction (Indian Affairs, 2017b). This means Tribal members on Tribal lands do not have to follow the laws of the State (including State tax law) unless Congress explicitly gives a State jurisdiction.



Photo: Tribal Public Health, LLC

According to one Tribal leader, sovereignty is “a simple respect for each other’s authority to govern. The State has authority to govern its State, and a Tribe has authority to govern its Tribe. The key word is respect—respecting the authority to govern what you are governing and deciding what is best for them.”

CHECK IT OUT

Calling the State Attorney General’s office or Commission of Indian Affairs is one way to learn more about the jurisdiction of Tribes in your area.

Seat Belt Laws and Their Enforcement on Tribal Lands

Tribes have the power and authority to enact their own laws. Therefore, seat belt laws may differ between State and Tribal lands. For example, there are Tribes that have enacted primary seat belt laws (i.e., where a driver can be pulled over and ticketed for not wearing a seat belt) in States that only have a secondary enforcement law (i.e., where a driver can be ticketed for wearing a seat belt only if pulled over for a different violation).

Enforcement Agencies and Sovereignty

There can be combinations of law enforcement agencies on Tribal lands, including Tribally operated law enforcement agencies (LEAs), Bureau of Indian Affairs (BIA) Law Enforcement Agencies, Alaska State Troopers Village Public Safety Officers (VPSO), cross-deputized/commissioned State Highway Patrols, and county-level law enforcement. Depending on established agreements, these agencies might have varying degrees of authority to issue citations or arrest people for violating regulations or laws in Indian Country.

Tribes also have their own means of enforcing their laws by either Tribal law enforcement, BIA law enforcement, or both. These entities can add layers of jurisdictional support and complexity for traffic enforcement and occupant protection initiatives.

Common Challenges

The complexity of jurisdictional authority over various types of violations can be challenging for all parties involved to navigate. Sometimes this leads to misunderstandings by LEAs, Tribal programs, and Tribal community members about who, what, where, and how jurisdictional authority applies.

Tribal law enforcement officers who live locally might also be conflicted when issuing seat belt use citations in their own communities. Officers can be aware of difficult circumstances (e.g., financial hardships) faced by Tribal members and feel sympathetic to their and their family members' efforts to do the best they can.

Many law enforcement agencies experience personnel shortages, including Tribal law enforcement. Smaller officer pools and expansive Tribal lands can extend response times.

Additionally, other law enforcement responses may be a higher priority than traffic enforcement.

Traffic enforcement on a single roadway that goes through two or more jurisdictions (e.g., State, county, municipal, Tribal) requires an officer to observe a violation in the jurisdiction in which the officer is commissioned.

In southeastern Oklahoma, State Highway Patrol officers and Tribal officers are cross-commissioned to encourage joint enforcement of seat belt use. Tribal officers can attend Oklahoma's Council on Law Enforcement Education and Training (CLEET), which can make the cross-deputization process smoother and faster.



As with State and local courts, financial deterrents do not always work. Even when seat belt violation fines are low, Tribal members may not be able to afford them. They may elect to go to the Tribal Council or other elected officials to have the fines removed. This news can spread across the Tribe—if tickets are issued and not enforced, Tribal members might stop paying them and eventually law enforcement might stop issuing them.

Cross-Commissioning

A memorandum of agreement (MOA) allows State and local law enforcement to enforce seat belt violations on Tribal lands by cross-commissioning officers.

- MOAs can let officers from different agencies work together to enforce seat belt use.
- MOAs also help to avoid confusion by officers and Tribal members about seat belt laws and how they are enforced.

Examples of cross-commission agreements are included in Appendix A.

To learn more, consider asking the Tribe:

- *What Tribal laws are in place related to enforcement of seat belt laws and child passenger safety laws?*
- *How are Tribal laws or codes approved for this Tribe? What are the fines or penalties for not wearing seat belts on Tribal land?*
- *How do Tribal and non-Tribal (e.g., State, county, municipal) law enforcement agencies work together, including for occupant protection efforts?*
- *Are there MOAs between Tribal and non-Tribal LEAs to enable seat belt law enforcement?*
- *What capacities do Tribes have to support seat belt enforcement and where is assistance needed?*
- *Would you like more support from non-Tribal LEAs? If so, how can we better support non-Tribal enforcement on Tribal lands?*

Indigenous Knowledge and Practices

Tribal communities have many strengths and great resiliency based on their Indigenous and Tribal values, knowledge, and traditional ways of life.

For Tribal communities, Indigenous cultural and traditional teachings and practices build strength and resilience and support healthy lives (CDC, 2023). It is important to support Tribes' wishes to incorporate their knowledge and practices into addressing occupant protection. This could mean Tribes select to implement "western" approaches (e.g., primary law enactment, *Click It or Ticket* campaign), or Indigenous practices (e.g., occupant protection themed powwow, youth culture camps), or a combination of both.

Indigenous Knowledge and practices vary greatly by Tribe and can include ceremonies and rituals, sweat lodges, and talking circles.

CHECK IT OUT

Reaching out to Tribal Police Departments is one way to confirm primary versus secondary seat belt laws.



Photo: Tribal Public Health, LLC

A Tribe may elect to inform the community of the importance of buckling up through a seat-belt-themed powwow rather than through a billboard message or radio ads.

In growing and maintaining relationships with Tribes, it is important for State officials to think of the Tribes' Indigenous Knowledge as a resource when seeking to improve occupant protection and increase seat belt use.

Practices based in Indigenous Knowledge can be used in place of or in addition to those based in traditional “western” approaches; deference should be given to Tribes to determine the degree of inclusion of western approaches. It is important to honor Tribes by incorporating practices that align with their beliefs and values.

To learn more, consider asking the Tribe:

- *How can this Tribe's Indigenous Knowledge and practices be supported and incorporated in occupant protection efforts?*
- *Are there existing programs, cultural beliefs, or practices that would help draw attention to keeping people safe through increased seat belt use?*

To raise awareness about motor vehicle crashes, one Northwestern Tribe invited members to a community meeting. They set up teepee poles and invited each person who was affected by a crash injury or crash death to take a ribbon and put that ribbon on a teepee pole to show that their loved one or friend had been affected. All the ribbons on the teepee poles created a powerful visual and brought to light the scope of the community impact.



Meaningful Engagement

This section briefly describes using cultural humility to respectfully engage with Tribes to understand the uniqueness and relevance of a Tribe's culture in their approach to occupant protection efforts.

Tips for Cultural Engagement

Tribal communities affected by policy decisions and plans should be meaningfully involved in developing ideas, identifying solutions, and implementation. **Take the time to learn and understand a Tribe's interest, readiness, capacity, and willingness to address occupant protection.**

State and local officials can build trust-based relationships and increase engagement by:

- Always honoring Tribal beliefs, customs, values, and sovereignty;
- Cultivating personal and professional relationships with Tribal members to gain appreciation of their unique culture;
- Encouraging collaboration through a willingness to learn from others and open-minded listening;
- Following through on agreed-upon action items and commitments;
- Maintaining continued engagement after project completion;
- Nurturing an environment that supports Tribal leadership and input, inviting Tribal representatives to the table early and often;
- Supporting communities in building capacity to participate and lead the decision-making process; and
- Exhibiting compassion for hardships faced by the Tribe. A motor vehicle crash may be a public tragedy that can be used to teach about seat belt use, but the approach should be compassion first.

To learn more, consider asking yourself:

- *What is the end goal or overarching purpose of my work with this Tribe in respect to occupant protection?*
- *What could I learn about Tribes to help improve my interactions with them, allow me to be of better service to Tribal communities to increase seat belt use, and communicate a more partnership-based approach on behalf of my State or local agency?*
- *How do I better understand the culture and beliefs about traffic safety for the Tribe with which I would like to work?*
- *How should I approach understanding and acknowledging each Tribe's cultural background and perspectives? What are some ways that I can encourage others to do the same?*



Photo: Tribal Public Health, LLC

Self-awareness is key to engaging with Tribes. While the urge may be to go and solve problems, stepping back and asking questions is the best approach.

CHECK IT OUT

Tribes, cultural centers, colleges, and universities (including those with Indigenous studies programs) can provide or suggest guest speakers for State staff training on cultural competence.

Organizational Cultural Competence

Cultural competence is defined as the ability to work effectively with people from different cultural backgrounds and is an important component of building relationships with Tribes. State governments have begun identifying ways to increase the cultural competency among their staff to work with Tribes, and some have put structures in place to establish better communication and coordination with Tribes. States including Arizona, New Mexico, Washington, California, and Oregon have codified requirements for a Tribal liaison position to be established within State agencies to intentionally coordinate and collaborate with Tribes. Tribal leaders emphasize the power of having a Tribal person as a liaison and the benefits conferred by someone already familiar with Tribes, traditions, and customs.

To learn more, consider asking the Tribe:

- *How can the State or local agency better serve the Tribal community in a culturally competent way?*

Consider asking yourself:

- *How can I or the State/local agency improve communication with the Tribal community and leadership?*
- *How do I help others in the State/local government understand the culture and beliefs of the Tribes in the State?*

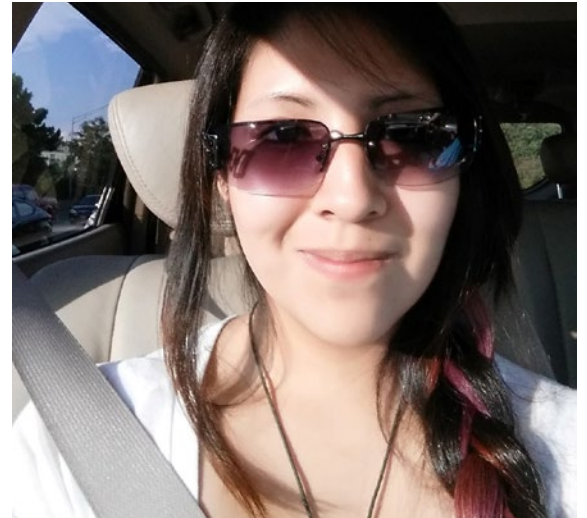


Photo: Tribal Public Health, LLC

In Washington State, Tribal liaisons take a government-to-government training course aimed at improving cultural awareness, increasing understanding of Tribal sovereignty, and exploring approaches to working with Tribal governments. Similar trainings on working with Tribal governments may be required or available in your State (<https://goia.wa.gov/training-o>).



Photo: Tribal Public Health, LLC

Case Study

Minnesota's State-Tribal Relations

This case study illustrates how increasing staff cultural competence can improve the working relationships between State transportation officials and Tribes.

Minnesota developed a unique program that intentionally tries to build understanding among incoming State employees and the Tribes they serve. In 2013 Minnesota codified State-Tribal relationships in a law that explicitly defines the government-to-government nature of their relationship, formally acknowledges the 11 Federally recognized Tribes in the State, and outlines processes for effective consultation between the two entities (Minnesota House File No. 9, 2021). Consultation is defined as “the direct and interactive involvement of the Minnesota Tribal governments in the development of policy on matters that have Tribal implication” and is established as a duty of State agencies. The law requires that each State agency designate a Tribal liaison whose primary responsibilities will be implementing the consultation policy and serving as the primary point of contact between the agency and Tribes; each State agency has its own individual Tribal liaison who is not shared and does not represent any other State agencies.

The Minnesota Department of Transportation's (MnDOT) [Tribal Affairs Office](#) facilitates working relationships between State transportation officials and Tribes (Minnesota Department of Transportation, n.d.-b). It oversees a [Tribal-State Relations Training](#) program available to all State employees. The program provides education on Tribal history, culture, and traditions, and governmental operations to help States work most efficiently and meaningfully with Tribes. MnDOT also houses the [Advocacy Council for Tribal Transportation](#), a group comprised of representatives from all 11 Tribes in Minnesota who serve as the voting membership and are supported by State, Federal, and other representatives (MnDOT, n.d.-a). The Advocacy Council meets quarterly to discuss Tribal transportation issues and to develop policy and legislation. For example, this group led an effort to implement dual language geographic signage for entering reservations, river crossings, etc. These signs are used to educate and increase awareness by using the Ojibwe Language alongside English.



Photo: Tribal Public Health, LLC



How to Get Started

This section outlines issues and initial questions to consider when building relationships with Tribes and Tribal leaders, and how to learn more about factors influencing seat belt use. This section includes some first steps in getting started.

- Building relationships with Tribes.
- Coming prepared and being open to learning.
- Learning from Tribes about factors that influence occupant protection.
- Building trust with Tribal leaders.

Build Relationships With Tribes

The relationship between the State or locality and Tribe will vary depending on the Tribe. While all interactions are government-to-government contact, these protocols might be formal for some Tribes and informal for others. Regardless, it is important to initially introduce yourself formally. There may be important protocols in place for who to contact first and how to make initial and follow-up contacts, which you should try to understand before reaching out.

Tribal Leadership

Building relationships with Tribal leadership (e.g., executive and traffic safety) can provide avenues for emphasizing occupant protection and raising the importance of seat belts as a priority. Tribal communities have numerous priorities and may face hardship with limited resources; traffic injuries may not be viewed as an immediate need or threat to address. Acknowledging these complexities and affirming Tribal leadership's difficult job in managing them can help build trust between you and the Tribal leader, as it conveys a sense of respect for their work.

It will also help to let Tribes know that your support will be ongoing, and you will defer to their timelines. Identifying Tribes' needs can help you connect them with helpful resources for issues they face.

Occupant Protection Context

Tribes will vary in their interest, readiness, capacity, and willingness to collaborate with partners to address occupant protection.

- Tribes might have existing occupant protection programs and initiatives.
- Tribal leaders or Tribal programs might have other pressing priorities and be unable to devote their limited resources to occupant protection.

Consider developing a list of contacts you can work with in the Tribe.

Continue to reach out to the Tribal members who know the issues, concerns, and risks at the Tribal level. Persistence may be needed. Most Tribes have their own websites, which can be found using simple internet searches. Your State may also have a website with appropriate resources for outreach, such as Washington's Governor's Office of Indian Affairs (goia.wa.gov).

CHECK IT OUT

Some Tribes host training for recently elected Tribal Council members and might invite State or local officials to attend to meet and build relationships with Tribal leaders.

- There might be interest in occupant protection, but the Tribe might have limited bandwidth and infrastructure to address the problems.

Tribes have different perceptions of seat belt use laws. Some Tribes are proud to have adopted primary enforcement laws. Others might be wary of motives for occupant protection initiatives (e.g., might see car seat requirements as a way for manufacturers to get money from Tribes). Reasons for seat belt use or nonuse will vary between Tribes.

Who Do I Talk With First?

Understanding how a Tribe is structured can help make clear who can and should be approached about occupant protection. Most Tribes have two types of leaders: elected (e.g., chairperson, Tribal Council) and traditional (e.g., hereditary chiefs, Tribal elders) and consider the two to be of equal value and importance (Washington Passport Network, 2018). Many State or local officials and partners may assume that the Tribe's executive leader (e.g., chief, chair, or governor) is the main person whom they should approach about efforts to increase seat belt use. While the executive leader should always be informed and is an appropriate starting point, contacting other traffic safety practitioners or champions (e.g., victim's advocates, clergy, traditional healers, and volunteers) within the Tribe is also important.

Within the Tribe, there might be a single liaison for all divisions or one for each division (e.g., Department of Transportation and Department of Education). Just as some States have Tribal liaison positions, some Tribes have designated a government information officer.



Photo: Tribal Public Health, LLC

Consider reaching out to others within your own program, your State's DOT, or other State or local agencies to find out who has already communicated with the Tribe. Learn from their experiences. If your State DOT has a Tribal liaison, they might have suggestions for contacts.

The types of departments and their scope of work vary by Tribe. Below is a non-exhaustive list of some Tribal departments that might address occupant protection.

- Health department
- Roads department
- Law enforcement
- Highway safety office
- Government affairs
- Planning department
- Tribal transit agency
- Tribal schools
- Tribal education department

Other partners working with Tribes on occupant protection might include the following organizations.

- [Indian Health Service \(IHS\) Injury Prevention Program](#)
- [Tribal Epidemiology Centers](#)
- [BIA Division of Transportation/Indian Reservation Roads System](#)
- [BIA Office of Justice Services](#)
- [Bureau of Indian Education](#)

Case Study



Caddo Nation and the Tribal Motor Vehicle Injury Prevention Program

The Tribal Motor Vehicle Injury Prevention Program (TMVIPP) was a CDC program from 2004 to 2014 that provided funding, guidance, and technical assistance to Tribes to increase seat belt use, increase child car seat use, and reduce alcohol-impaired driving (Crump et al., 2019; also see Apache Tribe of Oklahoma, 2020; Office of Environmental Health & Engineering, 2020). With support from this program, the Caddo Nation in Oklahoma collaborated with law enforcement agencies in Caddo County, Oklahoma, including the Oklahoma Highway Patrol, Anadarko Police Department, Binger Police Department, and BIA law enforcement. The TMVIPP coordinator, Antoinette “Toni” Short, provided presentations at high schools, conducted media campaigns, worked with law enforcement to organize checkpoints and saturation patrols, conducted seat belt observational surveys, and collected and analyzed motor vehicle crash data. Similar collaboration and coordination occurred to conduct activities related to child passenger safety and reducing alcohol impaired driving. Caddo’s TMVIPP project helped strengthen relationships among the Tribes, BIA law enforcement, and local law enforcement agencies. However, developing these collaborative relationships was not a simple task. In some instances, the program coordinator reached out to a single agency several times before successfully engaging them in a conversation. It was this persistence and dedication to the cause that made this collaboration possible.

To learn more, consider asking the Tribe:

- *Which Tribal members know the most about Tribal issues, concerns, and risks that influence seat belt use?*
- *Who or what departments have conducted initiatives in the past to encourage seat belt use or occupant restraint use more broadly?*
- *What occupant protection challenges are Tribe members currently facing?*
- *What resources are needed by the Tribe for seat belt programs and campaigns?*

Consider asking yourself:

- *How do I learn more about the Tribes I serve when starting to build a relationship?*
- *What other Tribal partners should I reach out to or engage to promote occupant protection?*
- *What turnover has happened in my State or local agency? How might this affect building trust with the Tribe?*

Recommendations for Successful and Sustained Engagement

Consider the following recommendations when working to build and sustain relationships with Tribes.

Repeatedly engage Tribal members. Relationships should be continually fostered and nurtured as Tribal executive leadership (e.g., chief/chairs and council members) can frequently change. The frequency of electing executive leadership will vary by Tribe. State and local officials should identify how often elections occur and learn what processes are in place for community and non-community members to engage with Tribal leadership (e.g., getting on a Tribal Council agenda). Additionally, remaining engaged with general Tribal members to foster trust with the Tribe at large will further strengthen relationships with leadership. Identify opportunities where Tribal communities hold meetings and may invite State or local officials to speak with and meet Tribal members.

Be humble. Challenges should be expected when starting or maintaining any initiative. Even transportation officials who have developed highly effective partnerships and campaigns face obstacles. Sometimes the best first step is to simply make contact and begin listening.

Meetings matter. Where meetings are held, how often, who sets the agenda, and who is invited are all things that matter in building relationships and establishing trust. Consider how meetings you host are planned and how they might be used to build relationships with the Tribes you work with.

- Meet Tribes in person in their community instead of expecting them to come to a State or local office building located farther away from their Tribal lands or where their community members live.
- Schedule visits with different Tribal members to get their thoughts and insights. Regardless of position, Tribal members will have ideas about what is important to their communities.
- Meet Tribal partners where they live and participate in their community events to grow your understanding of their culture and traditions.
- Invite Tribes' input and participation in Road Safety Assessments (also referred to as Road Safety Audits), State highway safety planning, and other State activities so that they can provide input, contribute ideas, and identify how State activities could support Tribal occupant protection work, including seat belt promotion.

Come Prepared and Be Open to Learning

A saying in Indian Country is, *“When you have knowledge of one Tribe, you have learned about one Tribe.”*

To work effectively with Tribal representatives, consider how their culture shapes their views.



Photo: Tribal Public Health, LLC

A key theme within this guide is to ask questions, listen and learn from Tribes, and discuss with Tribes how to improve Tribal traffic safety and increase seat belt use.

Students in one Washington Tribe worked with the Tribal Transportation Department to develop a Vision Zero poster that featured Bigfoot wearing a safety vest, carrying a flashlight, and walking at night, with the text Don't be Like Bigfoot—Be Seen. The poster was popular and viewed as relevant by the community.

- Seek to learn about the Tribes you work with, including their culture and what factors influence occupant protection. Many Tribes have websites that showcase their history, Tribal structure, unique characteristics, and values.
- Seek to understand the challenges in seat belt use that the Tribes have faced.
- Develop a deeper understanding of Tribes' occupant protection priorities and what influences those priorities; identify specific challenges related to occupant protection.

Use visits to seek to understand cultural norms and how they affect occupant protection and seat belt use. Take note of:

- How does a Tribe want to be addressed (e.g., Tribe, nation, pueblo, or band)?
- Which occupant protection efforts are already being used by the Tribe?
- Who among Tribal staff or departments are working on transportation safety?
- What resources the Tribe brings to the table, and how could they be used to build a mutually beneficial effort?
- How are road construction, road maintenance, and current occupant protection efforts funded (i.e., Is it paid for by BIA, State, Federal, county, or foundations)?
- What other Tribally driven initiatives respond to root problems, meet the needs of Tribal members, and incorporate Tribal leadership buy-in? There might be lessons learned that could be applied to occupant protection initiatives.
- Who might be working on transportation safety efforts that address seat belt use?

To learn more about the Tribe's priorities and factors that influence seat belt use, consider asking Tribal members about how their culture, traditions, and perceptions of seat belts influence their seat belt use.

- *What is this Tribe already doing to keep people safe on the roads?*
- *What are the most pressing occupant protection issues in this Tribal community? Why are they the most pressing? What factors influence them?*
- *What do Tribal members think about occupant protection efforts?*
- *What are families' current safety practices related to seat belts and car seats? Why?*
- *How would the Tribe like to work together to improve occupant protection by increasing seat belt use?*
- *How can the State or local agency better serve this Tribal community?*
- *How can I or the State or local agency improve communication with this Tribal community and leadership?*

Seek out Tribal partners who know their community's occupant protection practices to build a shared understanding of needs and opportunities to address in an initiative to address challenges that arise. Montana's Safe on All Roads (SOAR) enables the State officials and Tribes to work together to provide strong and meaningful traffic safety messages relevant to the individual culture of each community.

Case Study

Montana's Safe on All Roads

The Montana Department of Transportation (MDT) and the State Highway Traffic Safety Office developed the SOAR program to reduce traffic injuries and fatalities in Montana Tribal communities (Montana Department of Transportation, n.d.). The program relies on local partnerships among MDT, the Tribal college, Tribal community coordinators (coordinators), law enforcement, injury prevention, and health education personnel to conduct outreach activities focused on occupant protection, child passenger safety, and impaired driving prevention. Coordinators living and working in the community manage their local program, identify outreach opportunities, and assist in developing appropriate educational material. MDT's Tribal liaison works with the coordinators to develop culturally relevant messaging for traffic safety in Tribal communities, allowing for targeted and effective communications campaigns. MDT and the State Highway Traffic Safety Office also provide funding and support for training, paid media, presentations in schools and the community, public events, coalition building with regional and community leaders, advocacy for policy change, and other outreach activities. The MDT Tribal liaison hosts meetings several times a year with the coordinators from each Montana Tribe to build relationships, discuss each Tribe's traffic safety efforts, and exchange ideas on how to address challenges that arise. SOAR enables the State officials and Tribes to work together to provide strong and meaningful traffic safety messages relevant to the individual culture of each community.



Photo: Tribal Public Health, LLC



Photo: Tribal Public Health, LLC



Data

This section provides background information and historical context that can have an impact on data sharing relationships between Tribes and States or localities, including some of the opportunities and common challenges involved. It highlights key points State or local officials might want to consider when asking a Tribe to collect or share data.

There are many types of seat belt data that Tribes and State or local agencies may need to work together to collect, including:

- Observational seat belt use survey data;
- Seat belt use during types of motor vehicle crashes (e.g., non-severe, severe, fatal);
- Self-reported seat belt use (less reliable); and
- Knowledge, attitudes, beliefs regarding use, enforcement of use, and laws about use.

Data Sharing and Sovereignty

Remember, Tribes are sovereign entities that decide when, how, and what data they want to share with the State or locality. Tribes' data sharing relationship with the State generally falls into one of three categories:

1. Sharing directly with the State by providing information to the State's reporting systems.
2. Using the State's reporting system to submit only fatalities that have been investigated by the Tribe. Tribes use either electronic or paper submissions.
3. No data sharing relationship with the State.

Historical Context on Data

Tribes may be hesitant to share data that paints their community in a negative manner. Specifically, Tribes do not want to be seen in an unfavorable light by being compared to non-Native communities.

Tribes may have had trouble accessing their own data once it was entered into a non-Tribal system. As a result, Tribal members may be hesitant to participate in self-report surveys and other data collection efforts, particularly if those efforts are led by non-Tribal entities.

CHECK IT OUT

Some Tribes collect crash data primarily on paper and may be more inclined to share data if paper formatting allowed them to be eligible for funding.



Photo: Tribal Public Health, LLC

In one Southwestern State, a Tribe opted out of the Traffic and Criminal Software (TraCS) data sharing program when it reported its numbers but did not receive the promised funding benefits.

Common Challenges

Tribes do not always have access to systems that allow for accurate and consistent data reporting, especially that data linked to seat belt use. Providing data to the State can involve technical challenges and a greater administrative burden to the Tribe. Tribal members also may not be willing to participate in data collection efforts. Some other common challenges include the following.

- Data sharing can be burdensome, particularly in rural areas due to resource constraints to collect data.
- Sometimes Tribal law enforcement officers are not involved in collecting data for crash reporting.
 - If the Tribe has no police department and State or local police respond to a crash, the State has the data, and the Tribe must obtain the data from the State. Tribes may be unsuccessful in gaining their own crash data.
- There are often varying levels of completeness in Tribal crash reporting. As such, not all Tribes collect seat belt use/non-use data in crash reports.
- Some data points might be incorrect and lead to misclassification errors. This is particularly an issue with race information in non-Tribal crash reports, death certificates, medical records, and crash location data.



Photo: Tribal Public Health, LLC

Tribal law enforcement in South Dakota shared data with the State Department of Transportation which enabled the Tribe to qualify for safety and infrastructure funds totaling \$12 million over several years. Funds supported State-Tribal collaboration to build and fix roadways.

Opportunities and Recommendations

When approaching Tribes to discuss data sharing, it is important to build trust first and then identify how data sharing will benefit Tribes and support their goals. Consider the following recommendations if you are thinking about how to partner with Tribes to share data.

Provide benefit to Tribes—data sharing should not be a one-way relationship. If the State or locality is looking to build a data-sharing relationship with the Tribe, it should be clear how the Tribe will benefit if they agree to share their data.

Use collected data fairly and respectfully.

- Build trust before collecting or asking the Tribe for data.
- Consider how to frame the data in a positive light. Instead of emphasizing shortcomings, emphasize the successes associated with seat belt use (e.g., attitudes, knowledge, use, enforcement).
- Avoid pointing out publicly how a Tribe is performing with respect to a specific metric (e.g., seat belt use rates). Instead, seek to summarize in general terms what issues could be improved. For example, report that lives could be saved through increased seat belt use, rather than comparing a Tribe's seat belt use rate to a nearby community or the State.

- Use aggregate data when publicly identifying areas for improvement; this increases the anonymity of the Tribe and their challenges. In addition, aggregating data over years or across several Tribes increases the stability of the rates. Another option to increase anonymity is to refer more generally to the Tribe's size and general geographic location instead of its specific name (e.g., "A small, reservation-based Tribe in New Mexico).
- Consider privately sharing metrics with Tribal leadership so they understand the need or disparity in their community.

Tribes should be offered mutually beneficial agreements to data sharing.

- Many Tribes have their own Institutional Review Boards (IRBs), with processes and approval timelines that can vary.
- Remember, Tribes are sovereign. Some Tribes might view the sharing of data as a sacrifice to their sovereignty because sovereignty to them means they own their data.
- Look for opportunities to share resources or offer data technical assistance to assist Tribes. For example, share data analytic tools (or access to them) with the Tribe.
- Emphasize to Tribes if or whether Tribal occupant protection-related data is used by the State for a Tribe's benefit (e.g., to guide funding priorities, identify resources and assistance).

Seek to better understand opportunities and challenges that Tribes face when sharing data with State entities.

- Understand that sharing data may require additional effort by the Tribe to employ and train people, buy computers, etc.
- Offer assistance such as staff support and/or training to the Tribe or consider developing or improving technology that Tribes could use to collect and report data.

Not all data are quantitative or collected using traditional metrics (e.g., an observational seat belt use study), and avoid dismissing available data.

- Sometimes a community survey of Tribal members' thoughts or feelings (e.g., about crashes or occupant protection) can provide insight into community perceptions. The State should listen to the Tribe's concerns and work toward addressing them. Tribal members recounting their lived experience is a valid qualitative data source to identify crash factors and barriers to buckling up.
- If data related to the Tribe is not available, use State or county data as a proxy measure to better understand the traffic safety context.

Remember that data partnerships are different than conducting research. Conducting research signifies the need to involve a Tribe's IRB. Consider the most appropriate way to frame an occupant protection effort. Be clear that an effort is for research and inform the Tribe of your intent. Tell the Tribe how data or findings will be used, and seek approvals if data will be published.



One program manager of a State traffic safety initiative found data showing an increase in fatalities among female drivers. She went to the Tribe to better understand what might be driving this change. She was able to learn and listen to the stories of the Tribe. She designed an educational campaign targeting female drivers who became the main drivers when males lost their licenses.

Make the case for why data sharing is important. One Tribal representative suggested:

"It may be that Tribes do not want to share data for fear of casting a bad light on the Tribe. Tribes need to understand that by sharing data, it shows that there is a need for traffic safety funding for enforcement, education, and equipment."

To learn more, consider asking the Tribe:

- *What has been the Tribe's experience with data sharing with non-Tribal entities, like the State?*
- *What are the benefits to the Tribe sharing data?*
- *What challenges has the Tribe experienced with sharing data?*
- *What recommendations would the Tribe give the State to make it easier for your program or Tribe to share data?*
- *What support or resources can the State provide to assist with data collection or sharing?*





Funding

This section provides information about funding programs and examples of common challenges Tribes have had in accessing State and Federal funding opportunities. It highlights considerations for future funding opportunities and suggests questions that State officials might ask Tribes to learn more about specific barriers they have experienced.

Funding History

Historically, Federal and State funding programs for occupant protection have not been designed with Tribal sovereignty in mind. These processes have not always honored the government-to-government relationship between the State and Tribes.

Often, funding opportunities for occupant protection have come with specific criteria that have made it harder for Tribes to access or be successful in fulfilling funding requirements. These barriers, further described in the Common Challenges section, can negatively influence a Tribe's willingness to accept funding from a State or Federal agency regarding occupant protection.

Common Challenges

There are many challenges that can influence Tribes' perception about funding opportunities and Tribes' abilities to respond to requests for proposals related to occupant protection funding.

Hesitancy about the nature of the funding opportunity

- If occupant protection funding opportunities are too prescriptive, Tribes can get the impression that the opportunities are created to further the State's agenda rather than to respond to needs identified by the Tribe.
- Some Tribes have established minimum funding thresholds under which they will not apply for an opportunity. When available funding is below its threshold, a Tribe might not apply if it determines the amount to not be worth the effort needed to complete the application process. This is especially true if there are specific requirements (e.g., reporting, data collection).
- Requiring collaboration across small Tribes can be a barrier to participating. Yet, it can also encourage (or promote) partnership between Tribes and foster data sharing.



A New Mexico Tribe hosted a Tribal Safety Summit that was Federally funded. When the Tribe perceived that the funding agency was pushing its agenda for the Summit, the Tribe pulled back from the Safety Summit. The Tribe questioned why it should be promoting the safety agenda of the Government instead of its own agenda. When the Tribe has assembled its own experts (e.g., Tribal transportation officials or safety contacts), it is critical to allow it to identify its own transportation safety needs.

Limited Tribal capacity to respond to funding opportunities

- When funding opportunities require extensive documentation and data tracking, it may require training Tribal personnel might not have (e.g., grant application, management). This can slow down overall grant implementation. Other barriers may include lack of:
 - Grant writing staff;
 - Personnel to manage the project;
 - Staff to spearhead the project or campaign; or
 - Up-front funding (e.g., for reimbursement-only or required match funding programs).
- Even when occupant protection funding is available, it does not mean it will automatically be accessible to Tribes.
 - Tribes do not always need occupant protection funds for a campaign but might need funding to support staff or someone tasked with implementing an occupant protection program.
 - Tribes do not always have the infrastructure needed to move the initiative forward, generate messaging, or provide what is needed.
 - Tribes have different ceremonies or election seasons that may affect their ability to meet funding deadlines.

Difficulties once funding is awarded

- Tribes may experience challenges in spending all funds within a specific time period. Funds may be designated for seat belt promotion but are not channeled or communicated to the correct office or staff and, ultimately, may not get spent by the end of a funding period.
- Grant-funded programs or initiatives may serve two or more Tribal communities that have no ties but are funded through a single agreement. In such cases, entities may not always agree; one may sign off while the other might not be willing to do so.

To learn more, consider asking the Tribe:

- *What has been the Tribe's experience with funding opportunities provided by State sources? What opportunities has the State offered? What challenges has this Tribe experienced?*
- *What is the best mechanism for Tribes to receive their funds (i.e., directly or through a Tribe-serving organization)?*
- *Are there minimum funding thresholds for which the Tribe can apply?*
- *What recommendations would the Tribe give the State to make it easier for the Tribe to receive and use funds?*
- *What support and resources does the Tribe need from the State to apply for or use funding?*



In New Mexico the legislature created a Tribal transportation fund that is funded on a recurring basis. It included a hardship clause allowing for coverage of 100 percent of a project. Any Tribal entity in New Mexico can apply to address transportation needs in its local area.

Opportunities

Given the challenges discussed here, this section discusses opportunities and recommendations for making occupant protection funding opportunities more accessible to Tribes, including suggestions for well-constructed funding. Tribes might be more likely to apply for funding and achieve success in meeting funding requirements if these suggestions are included in the notice of funding opportunity.

Set-asides

States could offer a set-aside for Tribes that would allow them to access funding opportunities without competing against non-Tribal agencies that may have dedicated funding development personnel. For example, New Mexico offers a 5 percent set-aside for Tribes to receive transportation funding, and they are still eligible to apply for general funds.

Having a set-aside specified for Tribes recognizes that Tribal governments are organized and operate differently from State governments and may have different needs.

Eliminate match funding

Requiring a funding match from Tribes can be a barrier to qualifying for funding, particularly for smaller Tribes or Tribes with fewer resources. Match funding requires Tribes to spend money they might not have (or have only a portion of), resulting in Tribes with the greatest need not being eligible for funding.

Share administrative resources

Sharing personnel (e.g., a regional Tribal board, health board, or a State consortium of Tribes) may lead to effective funding opportunities.

- An individual Tribe might not require the services of a full-time staff member but could be better served by a regional entity focused on Tribe's occupant protection.
- This could be beneficial for regions with many small Tribes who would all receive occupant protection services without bearing administrative responsibility.

This approach eliminates the barrier of a single Tribe being too small to administer occupant protection funds on its own. It would be able to work through trusted entities with grant making and tracking capacity. While Tribes generally prefer to receive funding directly, funding awards can be managed through the regional [Indian Health Board](#), which already has personnel to manage such tasks. As always, it is important to consult with the Tribe to understand what process will best serve it.

CHECK IT OUT

Just because funding is accessible does not mean a Tribe will have the resources to generate the contract or conduct the initiative. Try to think outside the box and support the Tribe's needs.

Sharing past successes can enact changes in funding mechanisms.

A State transportation official was working with Tribal leaders in allocating State funds for traffic safety initiatives. She was able to share a past success story about using incentives to reward and promote seat belt use on Tribal lands. She partnered with Tribal leaders in advocating to State legislators for permission to use funds for incentive-based countermeasures. Legislators agreed and wrote it into a statute to offer ongoing funding to support Indigenous Knowledge interventions or programs.

Additionally, there might be programs that can serve as a resource to Tribes in the process of applying for funds. For instance, the Highway Safety Specialist funded by the BIA Indian Highway Safety Program may be an additional resource if Tribes are already recipients of BIA funds. The Highway Safety Specialist can go out to the community and provide information on car seats and booster seats, seat belts, and other aspects of occupant protection. These specialists can work with emergency medical services and law enforcement to put working groups together to determine where motor vehicle crashes are happening. Further, specialists might work with other agencies to gather data.

Provide necessary background

A Tribe might have the necessary resources to write a funding proposal, but its personnel may not have all the relevant occupant protection information. For example, if a police chief is new to the division and is participating in the proposal writing process for the first time, the chief may not have the background knowledge necessary to address all the issues. Consider sharing previous annual reports with the Tribe so that everyone involved in the funding application process has all the information they need.

Get creative

Tribes may not be positioned to fulfill an occupant protection funding opportunity in the traditional sense. Think creatively about how you can partner with a Tribe to meet its needs in addressing occupant protection. Some ideas are included below.

- Work with the Tribe to develop a streamlined funding application process that aligns with the award amount (i.e., fewer requirements for lower funding amounts).
- Consider providing templates to make it easier for Tribes to apply for, spend, and report on funding opportunities.
- Host seminars to share information about the funding opportunity and answer questions.
- Allow funds to provide for key personnel supports such as law enforcement liaisons, data collectors, and other staff to accomplish the goals of the opportunity.

Develop a well-constructed notice of funding opportunity

Tribal leaders who gave input on this guide were asked to re-imagine what an effective notice of funding opportunity (NOFO) written for Tribes would encompass. Their vision is outlined on the next page.





A Reimagined Effective Notice of Funding Opportunity

- **Eligible applicants:**
 - Federal or State recognized Tribes
 - Tribe-serving organizations such as Indian Health Boards
 - Urban Indian Organizations
- **Focus of the opportunity**
 - Through Tribal consultation, States should seek to understand the true needs of the Tribe.
 - Provide funding for achievable outcomes; discourage overpromising as a way to receive funds.
- **Funding amount**
 - When possible, include provisions for providing equipment for conducting events (e.g., water, tents).
 - Provide State funding for staff the Tribe might need to assist with proposal writing (e.g., subject matter experts, technical assistance) or personnel to help the Tribe meet the goals (e.g., data coordinator, law enforcement liaison).
 - Provide (or provide State funding for) training to increase Tribes' success in application writing and program implementation.
- **Allowable spending**
 - Seek Tribal input about expenses that will allow for project goals to be accomplished.
- **Funding mechanism**
 - Funding opportunities can be through direct grants or through cooperative agreements. State officials should ask which mechanism Tribes prefer.
 - Upfront funding with no reimbursement requirement is optimal.
- **Requirements (i.e., reporting, data sharing, evaluation)**
 - Establish a reasonable reporting frequency (i.e., quarterly or semi-annually).
 - Ensure a mechanism to update/correct errors in reporting.





Case Study



Washington State’s Funding for Traffic Safety Support Informed by Indigenous Knowledge

In 2024 the Washington Legislature allocated Washington Traffic Safety Commission (WTSC) funding through the 2024 Supplemental Transportation Budget, HB 2134, Sec. 201 (11), specifically for impaired driving and other enforcement, informed by Indigenous Knowledge approaches:

*“(11) \$1,000,000 of the highway safety account—State appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and **Indigenous Knowledge-informed Tribal traffic safety support**. Funding is also provided for the commission to administer and provide oversight of these activities.”*

WTSC already supports the integration of Indigenous Knowledge into their traffic safety project partnerships, rather than relying solely on the typical countermeasures used for other communities.

Recommendations

Consider the following recommendations when developing occupant protection funding opportunities to make them more accessible to Tribes and to enable Tribes to make better use of the funds provided.

- **Align funding opportunities with the needs of Tribes.** Learn about Tribes’ needs and interests to inform funding opportunities.
- **Allow Tribes to decide how they address their occupant protection needs**, including using Indigenous Knowledge and practices, instead of requiring only western approaches.
- **Include Tribal communities in State highway safety program public participation efforts and planning.**
- **Provide technical assistance to Tribes when funding for occupant protection initiatives is available.**
- **Develop and actively share an overview of funding resources (i.e., local, State, Federal) and the purposes for which they can be used.**





Conclusion

When a State or local official works with a Tribe to increase seat belt use, it is important to remember that each Tribe is different. Each Tribe will have its own unique culture; and its own Indigenous Knowledge and practices shaping approaches to occupant protection. Hopefully, this guide provides a question-asking framework with tools, ideas, and suggestions that State and/or local officials can use to meaningfully engage with a Tribe to save lives and improve seat belt use.

Effective partnerships are forged over time through in-person contact, mutual respect, and contextualized understanding of Tribes' history in the United States. Engaging in a single effort will not result in lasting change for Tribes nor will it automatically result in meaningful relationships that will be sustained. Commitment from an agency or organization needs to be sustained and shown over time. It involves:

- Understanding Tribes' culture and values;
- Talking with Tribal members to understand the issues important to them;
- Listening to actions the Tribe is already taking or has taken to improve traffic safety in their community;
- Responding to Tribes' stated needs and setting a positive tone for partnership;
- Understanding the traffic safety landscape within the Tribal community (i.e., the leading traffic safety issues and how they are addressed); and
- Sharing data and information about traffic safety.

Throughout this guide, the issues and common challenges discussed intersect frequently with Tribal sovereignty. The sovereignty of Tribes requires Tribal participation in any decisions regarding their property and citizens. Any occupant protection efforts between State and local governments and Tribes will be between sovereign governments electing to address a common problem together. Ultimately, an occupant protection initiative should be driven by the Tribe, their needs, and their interest in participating in the effort.

The hope for this guide is to prepare State and local officials to be thoughtful collaborators with Tribes in their State or local area. Together, States, localities, and Tribes can bridge cultures and save lives through buckling up.



Glossary

Consultation: In the context of working with Tribes, “consultation” has a different meaning than it does in colloquial context. In this context, consultation refers to an official process that requires a local, State, or Federal agency to communicate with Tribes in its area before enacting new policies that will affect the Tribes. Tribal Consultation policies differ by agency, but typically consist of specific guidelines for timelines to notify Tribes of upcoming policy change proposals, have official consultation sessions, and communicate how Tribal input will be considered in final agency decisions (Indian Affairs, n.d.).

Cross-Commissioning: Tribal and local/State/Federal law enforcement officers can be certified across jurisdictions through cross-commissioning to more effectively enforce laws. It allows them to bypass otherwise burdensome processes of determining specific factors that influence their authority to respond to a crime, such as the specific location of the crime, the Tribal affiliation of involved parties, and the nature of the offense (National Sheriffs’ Association, 2018).

Indigenous Knowledge: A body of observations, oral and written knowledge, innovations, practices, and beliefs. It is acquired by Indigenous and Tribal people through their environment, long-term experiences, and extensive observations, lessons, and skills passed from generation to generation.

Indigenous or Tribal Practices: Based on Indigenous Knowledge, they are culturally focused programs, policies, or practices based on the philosophy that culture is prevention, treatment, and a way of life.

Sovereignty: The authority to self-govern. Unlike other groups in the United States, Federally recognized Tribes are sovereign governments. Sovereignty includes a Tribe’s right to enforce its own laws.

Tribal Lands: Areas of land formally designated by the Federal Government for Tribes. Some Tribal lands remain as part of a Tribe’s original land base, while other lands were allocated to Tribes by the Federal Government after forcing them to resettle outside of their homelands (Indian Affairs, 2017b).

Tribes: For the purposes of this guide, the term “Tribe” refers to any group of people who may otherwise refer to themselves as a nation, band, village, pueblo, rancheria, or community. A “Tribal member” is a person in such a group, who may also consider themselves Native American, Indigenous, American Indian, or Alaska Native.

Trust Lands: Lands for which the title is held by the Federal Government, for the benefit of Tribal members, restricted-fee lands, reservations, pueblos, and Tribal trust lands (Congressional Research Service, 2021). As a legal category, it includes “all land within the limits of any Indian reservation,” “all dependent Indian communities within the borders of the United States,” and “all Indian allotments, the Indian titles to which have not been extinguished” (18 U.S. Code § 1151 - Indian Country Defined, 1948).

Resources

The following resources are organized by corresponding section of the Guide. The sharing of resources from non-Federal organizations does not constitute an endorsement of their programs by NHTSA or the Federal Government.

Introduction

Tribal Laws/Codes: This source (Tribal Court Clearinghouse, n.d.) consolidates all available links to Tribal Laws and Codes which some Tribes choose to publish online. [\[Tribal Laws/Codes\]](#)

Tribal Codes and Constitutions: This source (National Indian Law Library, n.d.) provides access and guidance for researching Tribal codes and constitutions. It also links to other resources that can be used to learn more about Tribes. [\[Researching Tribal Codes and Constitutions\]](#)

Tribal Epidemiology Centers: This source (Tribal Epidemiology Centers, n.d.) describes the country's 12 Tribal Epidemiology Centers (TECs) that serve to provide public health support to Tribal communities. It explains how TECs serve Indian country broadly, and links to each TEC to learn more. [\[Advancing Public Health in Indian Country\]](#)

Fundamentals

Demographics About Indigenous People in the United States: This resource from the National Council on Aging and provides demographic information about Tribal members in the United States, with a focus on those 65 or older. The fact sheet (MIPPA Resource Center, 2023) consists mostly of geographic, health, and socioeconomic data. [\[American Indians and Alaska Natives: Key Demographics and Characteristics\]](#)

Federal Indian Reservation Definition: This source (Indian Affairs, 2017b) from the Bureau of Indian Affairs website's FAQ section provides a very brief description of Federal Indian reservations, demographics about population and size, and origin of reservations. [\[What is a Federal Indian Reservation?\]](#)

Native CARS: Native Children Always Ride Safe seeks to improve child passenger safety (CPS) among Tribal communities. The Native CARS Atlas (Lutz, 2015) describes the success of previously funded efforts



Photo: Tribal Public Health, LLC

to implement the Native CARS program and provides relevant material, programming, and data collection methods for implementing the program in one's own community. The Native CARS program relies on Indigenous Knowledge to address CPS in a way that is culturally relevant to Tribes.¹

National Archives Background on American Indian Treaties: This site consists of a brief overview of treaties signed between Tribes and the U.S. Federal Government. Its main purpose is to house the official records of all of these treaties and supporting documents to help show the history of Federal-Tribal relations. [[American Indian Treaties](#)]

Tribal Motor Vehicle Injury Prevention Best Practices Guide: This guide (LeTourneau & Crump) published by the CDC in 2016 provides evidence-based strategies to address traffic safety concerns in Indian Country: child passenger safety, seat belt use, and impaired driving. Similarly to this guide, the *Best Practices Guide 2016* was created through engagement with Tribal communities and thorough research and is intended for use by anyone with an interest in improving traffic safety in Indian Country. [[CDC TMVIP Best Practices Guide](#)].

Tribal Motor Vehicle Injury Prevention Program Evaluation Guide: This guide (Albuquerque Area Southwest Tribal Epidemiology Center) published by the CDC in 2022, complements the *Best Practices Guide* mentioned above by suggesting ways to evaluate Tribal traffic safety programs (for example, those suggested in the *Best Practices Guide*). This guide provides both general guidance for program evaluation and specific tools useful for evaluating Tribal traffic safety programs. [[CDC TMVIP Program Evaluation Guide](#)].

Meaningful Engagement

Best Practices for Engaging Tribal Communities: Written by Swinomish and Halalt Tribal member, Kateri Joe, and Shelly Vendiola, an Elder of both Swinomish and Visayan (Filipino) descent, this provides best practices for working with Tribes. They stress the importance of cultural humility, patience, and understanding when working with Tribes. Each best practice comes with a concrete suggestion that readers can implement going forward (Joe & Vendiola, 2018). [[Five Recommended Practices for Engaging Tribal Communities](#)]



¹ The original Native CARS Atlas website is offline now and for the foreseeable future. However, the PDF in the reference section shows what it looked like when it was available on the internet.

How to Get Started

ADOT Personnel Tribal Transportation Consultation Training Handbook: This training course for Arizona Department of Transportation officials (Horn, 2020) contains an explanation of legal requirements for State personnel in working with Tribal governments as well as a history of Tribes in the United States and general best practices and principles to guide collaboration with Tribes. Recommendations for how best to carry out consultation and coordination include broad concepts like cultural knowledge and respect for Tribal sovereignty, as well as actionable steps and guides for implementing requirements. [[ADOT Tribal Transportation Consultation: Online Training Course for ADOT Personnel Handbook](#)]

Environmental Protection Agency's Relationship With Tribes: Given the importance of nature and environmental preservation on Tribal lands, the EPA has a high level of responsibility to work with Tribes. As of December 2023 the EPA implemented a formal consultation policy whereby it most often consults with Tribes on a government-to-government level if any of its work affects Tribal members or lands. The sources cited in the reference section (EPA, n.d.; 2025) and linked below define this requirement and provide guidance for how to best implement it.

- [[Environmental Protection in Indian Country](#)]
- [[EPA policy on consultation with Indian Tribes: Guidance for discussing Tribal treaty or similar rights](#)]

National Indian Health Board's Working With Tribal Nations Training: This training (National Indian Health Board, 2024), geared toward State and Federal officials, focuses on Tribal health. Modules provide a history of Tribal health in the United States, a background on how Tribal governments operate and can work together with State and Federal governments, and best practices for working with Tribes. [[Working with Tribes Training](#)]

Data

NCHRP Tribal Crash Reporting Guide: This guidebook (Noyce et al., 2014) created by the National Cooperative Highway Research Program (NCHRP) provides thorough information about crash reporting as it relates to Tribes. It discusses current challenges associated with data collection and recommendations to improve crash reporting among Tribes through best practices, research, and data collected for the purpose of developing the guide. [[Guide for Effective Tribal Crash Reporting \(NCHRP Report 788\)](#)]

NEMSIS Database: Some Tribes use the National EMS Information System (NEMSIS) for reporting and analyzing Tribal traffic safety data. See the NEMSIS website at <https://nemsis.org>.

NHTSA Tribal Crash Reporting Toolkit: This toolkit (Scopatz et al., 2022) developed by NHTSA consists of tools Tribes can use to assess and improve their crash reporting practices. It includes guides to understanding how to conduct data analysis, a PDF worksheet that Tribal law enforcement officers can use as a crash report, and more. [[Tribal Crash Reporting Toolkit](#)]



Photo: Tribal Public Health, LLC



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Appendix A. Examples of Commission Agreements

Example 1



VALENCIA COUNTY SPECIAL DEPUTY SHERIFF COMMISSION EXTERNAL AGENCY RESPONSIBILITY AGREEMENT

RECITALS:

WHEREAS, Denise Vigil is the duly elected Sheriff of Valencia County with the authority to appoint and direct deputies pursuant to NMSA 1978, Section 4-41-5 (1975) to perform the duties of said office; and,

WHEREAS, NMSA 1978, Section 4-41-2(1865) provides that “[t]he sheriff shall be conservator of the peace within his county; shall suppress assaults and batteries, and apprehend and commit to jail, all felons and traitors, and cause all offenders to keep the peace and to appear at the next term of the court and answer such charges as may be preferred against them;” and,

WHEREAS, NMSA 1978, Section 4-41-8 (1905) requires that “[n]o person who may be under indictment or may be generally known as a notorious bad character, or as a disturber of the peace shall be eligible to serve as a deputy sheriff, and sheriffs are hereby prohibited from issuing commissions to such persons as deputy sheriffs, and it is hereby made the duty of the judge of the district court upon complaint being made that the provisions of this section have been violated to investigate the same, and if found to be true, such judge of the district court is hereby given authority to revoke any such commission given by any sheriff contrary to the provisions of this section.,” and,

WHEREAS, NMSA 1978, Section 4-41-9 (1855) states that “said deputies are hereby authorized to discharge all the duties which belong to the office of sheriff, that may be placed under their charge by their principals, with the same effect as though they were executed by the respective sheriffs; and,

WHEREAS, NMSA 1978, Section 4-41-10 (2006) provides in pertinent part that “[a]ny sheriff is hereby authorized at any time to appoint respectable and orderly persons as special deputies to serve any particular order, writ or process or when in the opinion of any sheriff the appointment of special deputies is necessary and required for the purpose of preserving the peace, and it shall not be necessary to give or file any notice of such special appointment; however, the provision authorizing the carrying of concealed arms shall not apply to such persons. Provided, no person shall be eligible to appointment as a deputy sheriff unless the person is a citizen of the United States of America. [] ;” and,

WHEREAS, Sheriff Vigil has determined that it is in the best interest of the inhabitants of Valencia County to issue a special deputy commission to select certified law enforcement employees of external agencies in order to augment and supplement law enforcement in the County.

IT IS THEREFORE AGREED THAT:

1. This Agreement executed by Valencia County Sheriff Denise Vigil and the Pueblo of Isleta Police Department (“Agency”), by and through the Pueblo of Isleta Governor, for the issuance of a Valencia County Special Deputy Commission to named Certified Law Enforcement Officer(s) (“Officer”) of the Agency as Commissioned by the Sheriff on an individual basis.
2. The decision of which Officers are issued a Commission rests solely in the discretion of the Sheriff and is un-appealable.
3. This Special Deputy Commission grants the authority to the Officer(s) to perform all law enforcement duties within the Boundaries of Valencia County.
4. The Agency certifies that the Officer(s) is a full time employee of the Agency.
5. The Agency certifies that the Officer(s) is a New Mexico Certified Law Enforcement Officer pursuant to NMSA 1978, Section 29-7-1 et seq.; and,
6. The Agency certifies that the Officer(s) is not under indictment or is not generally known as a bad character or disturber of the peace.
7. This Agreement shall terminate on December 31, 2026, or immediate upon written notification by either party for any reason or upon the expiration of Sheriff Denise Vigil’s term of office.
8. The Agency agrees to maintain proper training and supervision the Officer(s).
9. The Agency agrees that it is solely responsible for the actions of the Officer(s) and that Valencia County and the Valencia County Sheriff is not be responsible for any claims, demands, causes of action, damage, loss, obligations, or liabilities of any kind including but not limited to those for bodily injury, property damage, civil rights claims or public liability damage sustained or incurred as a result of, arising out of or relating to any actions by the Officer(s). The Agency agrees to defend and indemnify the Officer(s) acting pursuant to this Agreement to the fullest extent as permitted by law. The Agency agrees to maintain liability insurance in the amount of no less than \$1,000,000.00 per occurrence to cover any actions of its employees acting under this Agreement and the Agency will provide a certificate of insurance to the County with the approval of this agreement.
10. The Agency agrees to immediately notify the Sheriff, in writing, upon the occurrence of any of the following events:
 - a. Separation of the Officer(s) from Employment with the Agency.
 - b. Suspension or Termination of the Officer’s Law Enforcement Certification.
 - c. Discipline of the Officer for matters relating to the officer’s integrity and use of force.
11. The Agency is responsible for obtaining and returning an Officer’s Special Deputy Commission Card upon the revocation of the Commission by the Sheriff or upon the separation of the office from the agency.

Example 2

COMMISSION AGREEMENT

This Commission Agreement (hereinafter “Agreement”) is entered into by and between **Bernalillo County**, a political subdivision of the State of New Mexico, acting through the Board of County.

Commissioners of the County of Bernalillo, the Bernalillo County Sheriff (hereinafter, “Sheriff”), and the **Pueblo of Isleta**, a federally recognized Indian tribe (hereinafter “Pueblo”).

RECITALS

WHEREAS, the County has requested that the Pueblo and the Sheriff enter into this Agreement; and

WHEREAS, the County and the Sheriff have agreed to do so in consideration of the Pueblo’s agreements set forth herein.

AGREEMENT

SECTION I – PURPOSE

- A. The purpose of this Agreement is to establish the terms and conditions under which the Sheriff commissions qualified special deputies who are certified peace officers employed by the Pueblo.
- B. This Agreement relates solely to the authority being granted under the Sheriff’s Commission, and nothing herein is intended to or shall diminish the scope of a certified peace officer’s authority under Pueblo’s inherent authority and jurisdiction.

SECTION II – AUTHORITY

- A. NMSA 1978, § 4-41-5 authorizes sheriffs in all counties of this state to “appoint deputies, who shall remain in office at the pleasure of such sheriffs.” NMSA 1978, § 4-41-10 authorizes sheriffs “to appoint respectable and orderly persons as special deputies to serve any particular order, writ or process or when in the opinion of any sheriff the appointment of special deputies is necessary and required for the purpose of preserving the peace.”
- B. The sources of authority cited above are not intended to be exclusive, and the action of any party or agent of any party hereto, which can be lawfully sustained under any law not otherwise stated herein, shall be authorized hereunder.

SECTION III – DEFINITIONS

As used in this Agreement:

- A. “Commissioned Officer” means a peace officer of Pueblo, certified pursuant to the requirements contained in the New Mexico Law Enforcement Training Act, NMSA 1978, § 29-7-6, who also is commissioned as a special deputy by the Sheriff as provided herein.
- B. “Commission” or “special deputy commission” means a commission issued by the Sheriff to a Pueblo officer authorizing that Pueblo officer to act as a special deputy of the Sheriff in accordance with this Agreement and the laws of the State of New Mexico.

SECTION IV – COMMISSIONING

The Pueblo shall complete and submit to the Sheriff an application in the form prescribed by the Sheriff requesting the commissioning of each Pueblo officer for whom a Commission is desired. To be eligible for a Commission, each Pueblo officer must be certified by the New Mexico Law Enforcement Academy pursuant to NMSA 1978, § 29-7-6.

SECTION V – NOTICE

The Pueblo shall promptly notify the Sheriff in the event that the Commissioned Officer: (1) is no longer employed by the Pueblo's Police Department; (2) is disciplined for actions or matters involving moral turpitude; (3) is charged or convicted of any criminal offense, with the exception of a penalty misdemeanor traffic offense; (4) is found to have a physical, emotional or mental condition that could adversely affect his/her performance as a law enforcement officer; or (5) has been served with a notice of intent to sue or has been sued for activities engaged in by the Commissioned Officer.

SECTION VI – SUPERVISION AND CONTROL

Commissioned Officers are employees of the Pueblo and shall remain under the control and supervision of the Pueblo Police Department; provided, however, that when acting under the Sheriff's jurisdiction, Commissioned Officers shall take supervision and direction from the incident commander or on-duty shift commander for the Sheriff's Office. Such period of supervision and direction shall not alter or diminish the responsibility of the Pueblo Chief of Police for the Commissioned Officer or the sovereign authority of the Pueblo of Isleta over its lands.

SECTION VII – COMPENSATION AND BENEFITS

Commissioned Officers are not compensated employees of the Sheriff's Office or Bernalillo County. The Pueblo shall remain liable for all Commissioned Officers' compensation, employment benefits, worker's compensation protection, and, subject to Section IX below, civil liabilities.

SECTION VIII – SOVEREIGN IMMUNITY

Nothing in this Agreement shall require either party to assert or waive its sovereign immunity.

SECTION IX – RESPONSIBILITY FOR AND DEFENSE OF CLAIMS ALLEGING A VIOLATION OF CIVIL RIGHTS OR TORTUOUS ACTS

- A. Except to the extent an insurance carrier provides a defense and indemnity, the Pueblo shall be solely liable for the defense and satisfaction of any claim, suit, judgment or
- B. "commission" or "special deputy commission" means a commission issued by the Sheriff to a Pueblo officer authorizing that Pueblo officer to act as a special deputy of the Sheriff in accordance with this Agreement and the laws of the State of New Mexico.

SECTION IV – COMMISSIONING

The Pueblo shall complete and submit to the Sheriff an application in the form prescribed by the Sheriff requesting the commissioning of each Pueblo officer for whom a Commission is desired. To be eligible for a Commission, each Pueblo officer must be certified by the New Mexico Law Enforcement Academy pursuant to NMSA 1978, § 29-7-6.

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- A. Except to the extent an insurance carrier provides a defense and indemnity, the Pueblo shall be solely liable for the defense and satisfaction of any claim, suit, judgment or settlement, including costs and attorneys' fees, against a Commissioned Officer or the governmental parties hereto arising from conduct of the Commissioned Officer, arising from conduct of the Commissioned Officer when acting as a special deputy pursuant to a commission issued by the Sheriff.
- B. In the defense of any claim or suit against a Commissioned Officer arising from conduct when acting as a special deputy pursuant to a commission issued by the Sheriff, the Pueblo may assert that its officer was acting as a non-compensated "public employee" of Sheriff under NWISA 1978 § 41-4-3(F)(3) and is covered by the relevant liability limitations of the New Mexico Tort Claims Act, NMSA 1978 § 41-4-1 et seq.
- C. The parties agree to cooperate with each other in the defense of any claim brought against a Commissioned Officer when acting as a special deputy pursuant to a commission issued by the Sheriff, through the provision of documents, witnesses, and other evidence.

SECTION X – INSURANCE

- A. As a condition precedent of receiving and maintaining special deputy commissions for its certified police officers, the Pueblo shall designate Bernalillo County and Bernalillo County Sheriff each as an "additional insured" for coverage under the Pueblo's police liability and auto liability policies, as

well as provide reasonable proof of compliance and thirty (30) days' notice of any change in such coverage to County and Sheriff.

- B. The Pueblo's failure to make or retain an "additional insured" designation for the County and Sheriff shall constitute grounds for immediate suspension or revocation of all special deputy commissions issued by the Sheriff under this Agreement. The Pueblo further agrees to provide the County with copies of the coverage agreements under which the County is named as an additional insured and shall provide copies of amendments and changes to the policy.

SECTION XI – TERM AND TERMINATION OF AGREEMENT

- A. This Agreement shall become effective upon signature by a representative of Bernalillo County and the Pueblo. The term shall be perpetual; provided, however, that either party may terminate this Agreement upon providing thirty (30) calendar days' written notice to the other party, whereupon all authority and obligations under this Agreement shall cease.
- B. In the event this Agreement is terminated:
 - 1. Commissioned Officers shall make all court appearances and take such other actions as are necessary to conclude cases pending on the date of termination; and
 - 2. The provisions of Sections VIII, IX, and X shall survive the termination of this Agreement.

SECTION XII – NOTICE

All notices and communications required by this Agreement shall be in and personally delivered or mailed by certified mail, postage pre-paid, return receipt requests to:

Notices to Bernalillo County and Sheriff shall be sent to:

Bernalillo County Sheriff,
400 Roma, NW Albuquerque, NM 87102

Bernalillo County Manager Purchasing Dept.
One Civic Plaza, NW, 10th Floor Albuquerque, NM 87102

Notices to Pueblo of Isleta:

Governor's Office Pueblo of Isleta
P.O. Box. 1270, Isleta, NM 87022

Chief of Police Pueblo of Isleta
P.O. Box, 1270 Isleta, NM 87022

SECTION XIII – AMENDMENTS

This Agreement shall not be amended except by an instrument in writing executed by both parties.

SECTION XIV – GOVERNING LAW

This Agreement and any amendments hereto shall be governed and construed in accordance with the substantive laws of the State of New Mexico, without regard to its choice of law principles.



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

