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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)

POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT: An Assessment of Current Operations
of the Penobscot, Pleasant Point,
and Indian Township Reservation Police
Departments and Recommendations for
Improvement of Police Services

REPORT NUMBER: 77-050/ITA-03

FOR: Eastern Maine Development District

Penobscot Indian Reservation

Population: 430

Police Strength:

(Sworn) 5

(Civilian) 1

Total 6

Square Mile Area: 6.875
(land)

70 miles waterway

Pleasant Point Reservation

Population: 430

Police Strength:

(Sworn) 6

(Civilian)

Total 6

Square Mile Area: .156

Indian Township Reservation

Population: 381

Police Strength:

(Sworn) 4

(Civilian)

Total 4

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CONTRACT NUMBER:

J-LEAA-002-76

DATE:

March, 1978

NCJRS

JUN 9 1978

ACQUISITIONS

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I. INTRODUCTION

There are three Indian reservations in the State of Maine -- the Penobscot Indian Reservation, located adjacent to Old Town in Penobscot County; the Pleasant Point Indian Reservation, located adjacent to Perry in Washington County; and the Indian Township Indian Reservation, located adjacent to Princeton in Washington County. The three reservations have tribal police departments which are authorized to enforce state law on the reservations, in addition to any tribal ordinances.

The three tribal police departments have been funded by the Indian Criminal Justice Program of the Law Enforcement Assistance Administration through the Eastern Maine Development District. The last grant ended November 30, 1977. This report was prepared in response to a technical assistance request made by the Eastern Maine Development District on behalf of the three departments for an evaluation of each department and recommendations for improving the various aspects of police services provided on each reservation. Continued funding from LEAA is pending this evaluation.

The consultants assigned were Bernard L. Garmire and Jo Jo Hunt. Others involved in processing the request were:

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Police Specialist
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The on-site visits were made January 16-20, 1978. While on-site, the consultants 1) interviewed police supervisors at each of the reservations, two of the three tribal governors, members of the administrative and planning staffs of the reservations, police board members of the reservation, and the public safety coordinator of another reservation, the chiefs of police of Old Town and Calais, Maine; 2) toured the three reservations to observe the locations and distances involved and the residential areas and public facilities; and 3) reviewed statistical reports and other available pertinent data.

Persons contacted during the visit included:

Mr. Jeff Waring

Mr. Bill Veneer
Eastern Maine Development District

Penobscot Reservation

Mr. Howard "Buddy" Corbett
Sergeant of Police

Ms. Pamela Michaud
Police Secretary

Mr. Francis Mitchell
Chairman, Police Board

Mr. Erving Ranco
Member, Police Board

Mr. Nicholas Sapiel
Penobscot Tribal Governor

Mr. Wally Pehrson
Penobscot Lieutenant Governor

Mr. Andrew N. Aikens
Executive Director
Penobscot-Passamaquoddy Tribal
Planning Board

Pleasant Point Reservation

Mr. Harry Tinker
Lieutenant of Police

Mr. John Bailey
Public Safety Coordinator

Mr. Francis Nicolas
Governor, Pleasant Point Reservation

Mr. Jeffrey Hill
Director of Development/Assistant
to the Governor

Mr. James McGrath
Planner/Communications Manager

Indian Township Reservation

Mr. Christopher Tinker
Director, Department of Public Safety

Mr. Doren Graves
Sergeant/Criminal Investigator

Mr. Roger Gabriel
Assistant to the Governor
Indian Township Reservation

Mr. Brian Bowdoin
Tribal Business Manager

Neighboring Jurisdictions

Mr. Jack Palo
Chief of Police
Old Town, Maine

Mr. Clinton Hayward
Chief of Police
Calais, Maine

II. ANALYSIS OF THE PROBLEM

Assessment of Indian Law Enforcement Services

In evaluating the three Maine Indian police forces included in the technical assistance request, background material on the status of the tribes in Maine which affects the funding of their police departments and the political climate which surrounds them are discussed herein. The organizational structures and police functional components of each department are also presented. This information serves as the basis for the findings and conclusions on the strengths and weaknesses of each department and recommendations made in the succeeding sections of this report.

The methodological approach has been discussed in the Introduction section of this report and describes the process utilized in gaining the necessary information. However, it should be added that a detailed set of some 270 questions were asked of each department, such questions covering all aspects of the operation of a police department.

It should also be added at this point that although adequate information was gathered to allow a thorough evaluation of the three departments, the consultants would have preferred to talk with more community people and individual officers, as well as ride along with an officer on duty during a given shift; but this was not feasible because of the mid-January snowstorm in Maine, the distances between the two northernmost reservations and lodging accommodations, and sometimes having to wait for roads to be cleared of snow.

A. Background

The Penobscot and Passamaquoddy Tribes of Maine currently maintain control of a total of 33.6 square miles. The land was set aside for them as three state reservations. Until October 1977, the Tribes were not officially recognized by the United States Department of the Interior as eligible for benefits and services because of their status as Indians and were not receiving assistance and programs from the Bureau of Indian Affairs and HEW's Indian Health Service.^{1/}

The question of federal recognition for the Maine Tribes arose because of a land claim. In contrast to the many tribes in the United States who had lost their land in transactions which involved the Federal Government and thereby complied with Federal law, the Passamaquoddy and Penobscot Tribes lost several million acres of their aboriginal territory in a 1794 treaty and subsequent treaties with the Commonwealth of Massachusetts.^{2/} The 1790 Indian Non-Intercourse Act provided as follows:^{3/}

No sale of lands made by any Indians, or any Nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of pre-emption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States.

^{1/} October, 1977 date of federal recognition for the Penobscot and Passamaquoddy Tribes was provided by Francis Nicholas, Governor of Pleasant Point Passamaquoddy Reservation.

^{2/} Report on Terminated and Nonfederally Recognized Indians, Task Force #10, American Indian Policy Review Commission, U.S. Government Printing Office, 1976, p. 1660.

^{3/} Act of July 22, 1790, 1 Stat. 137, section 4, as cited in Report on Terminated and Nonfederally Recognized Indians, Ibid., p. 1657

The 1794 treaty with Massachusetts was not executed as a public treaty duly authorized by the United States, and the land transaction is rendered invalid by the controlling Federal statute. The Tribes therefore had the right to seek return of their land and damages dating back to 1794 for the time the land was withheld from them.

The Passamaquoddy Tribe took the lead in addressing the land issues. The Tribe requested the Federal Government, through the Departments of the Interior and Justice, for assistance in litigating their land claim against the State of Maine, Massachusetts' successor in interest.^{4/} Since an important part of the claim was a money damages claim against Maine, which because of sovereign immunity could only be brought by the United States, the Tribe required the assistance of the United States in litigating their claim. While admitting that the Passamaquoddys were an Indian tribe and that their land may have been taken as claimed, the Interior Department refused the aid requested solely on the basis that the Non-Intercourse Act did not protect Passamaquoddy land or impose any trust obligation on the United States to assist the tribe with its claim because the tribe with its claim because the Passamaquoddy Tribe had never been recognized by the United States.^{5/}

^{4/} The State of Maine assumed all the duties and obligations of the Commonwealth of Massachusetts towards the Indians within the state whether such arose from treaties or otherwise. The Act of Separation, Constitution of Maine, Article 10, Section 5, Fifth Part as reprinted in State of Maine: A Compilation of Laws Pertaining to Indians, Department of Indian Affairs, 1947, p. 67.

^{5/} Task Force #10 Report, op. cit., pp. 1660-1661.

The Governors of the Passamaquoddy Tribe from the two reservations brought suit against Interior and Justice Department officials who denied their request for assistance. The United States District Court for Maine agreed with the Tribe's argument that the Non-Intercourse Act applied to all tribes and imposed upon the United States a trust responsibility to protect the lands of all tribes.^{6/} A unanimous panel of the United States Court of Appeals for the First Circuit affirmed the lower court's decision.^{7/} Neither of the Federal defendants nor the State of Maine, which had intervened as a party defendant, sought review by the Supreme Court, and thus the appellate decision became final.^{8/}

The United States brought suit on behalf of the Penobscot and Passamaquoddy Tribes of Maine. A settlement is pending acceptance, which includes 300,000 acres of land to be returned to the tribes.

After months of conversations and negotiations with the Bureau of Indian Affairs and the Indian Health Service, the Penobscot and Passamaquoddy Tribes of Maine, upon being designated as federally recognized tribes in October of 1977, are now planning comprehensive programs to be funded by these two Government agencies as well as other agencies within the Federal Government. The State of Maine still provides assistance to the Tribes at this point, but it is feared that the state may attempt to withdraw its assistance in the future.

^{6/} Ibid., p. 1661, citing 388 F. Supp. 649 (1974).

^{7/} Ibid., citing 528F 2d 370 (1975).

^{8/} Ibid.

With the emergence now of the Bureau of Indian Affairs as a funding source, the three tribal police departments will be able to secure funds from that agency's Division of Law Enforcement Services. However, there is a two-year lead-in period to the division's budget, and the Maine Tribes will not receive substantial support from BIA for law enforcement until FY80. Possibly by that time, the reservation police departments will have an additional 300,000 acres of territory to patrol from the settlement of the land claim.

A review of law enforcement on the reservations is appropriate at this point. Prior to FY74, the Indian law enforcement efforts on Maine Indian reservations consisted of an Indian constable appointed by the respective Tribal Governor with the advice and consent of the tribal council. These special constables, under state law, were given like powers and duties of constables and police officers within towns and cities in the enforcement of the laws of the State within the limits of the reservation of their respective tribes, with authority to take any offender before any court of competent jurisdiction within their respective counties. ^{9/} The Tribes have state statutory authority to adopt ordinances and rules and regulations, and the constables were given the authority to enforce such tribal ordinances

^{9/} Title 22, Chapter 1351, Section 4716, Maine Revised Statutes, 1964, as amended.

under the supervision of the governor and council of the respective reservation. Penalties for violations of tribal ordinances were limited by statute to fines not exceeding \$100. ^{10/}

In 1973, the Maine Department of Indian Affairs submitted an application to LEAA to establish a Maine Indian Police Department.^{11/} A grant award was made and the joint department for all three reservations functioned in FY74 and FY75. In late 1975, the three reservations established their own separate police departments.

The Tribes have not yet asked for an opinion from the Interior Department's Solicitor's Office regarding federal/tribal jurisdiction on the reservations in Maine. Currently, the tribal police departments are still enforcing state law and tribal ordinances.

B. The Penobscot Reservation Police

1. Jurisdictional Characteristics

The Penobscot Reservation consists of 146 islands dispersed over 70 miles of the Penobscot River in Penobscot County. The total land area is 4,446 acres, or 6.9 square miles. About one-half of the islands are flooded at all times. The only inhabited island is Indian Island, which is connected to Old Town, Maine, by a one-lane bridge. The population is estimated at 430, of whom 400 are Indian.

^{10/} Title 22, Chapter 1351, Section 4717, Maine Revised Statutes, 1964 as amended.

^{11/} Federal and State Services and the Maine Indians, Report of the Maine Advisory Committee to the U.S. Commission on Civil Rights, 1974.

The total highway mileage on Indian Island is 2.5 miles, with the half of the reservation closest to Old Town being densely populated. Several tribal buildings, two churches, one school, and several businesses are located on the island.

2. Organization and Staffing

The Penobscot Reservation is governed by an elected governor, lieutenant governor, and a twelve-member tribal council. The Tribe also elects a representative to the state legislature.^{12/} The Tribal Governor has appointed a Police Board, with the confirmation of the council, from the members of the tribal council to oversee the police department.

The Penobscot Reservation Police Department is the best organized of the reservation departments in Maine. The fact that the Tribal Council has seen fit to create a Police Board is excellent. The board provides a political buffer and prevents the individual political arm and philosophy of the chief elected official from ever prevailing in a capricious manner. The input by members of the council is, at least in theory, more democratic and indicative of the desires of the constituency.

The department is directed by the Sergeant of Police. The Sergeant, together with the Police Board, is responsible for policy development. The Sergeant is responsible for budget control, inspections and internal investigations, and vehicular maintenance,

^{12/} Title 22, Chapter 1353, Section 4793, Maine Revised Statutes, 1964, as amended.

as well as the over-all daily activities of the police department.

The staffing seems to be quite adequate and is as follows:

- 1 Supervisor-Sergeant
- 3 full-time patrolmen
- 3 part-time special officers
- 1 Youth Aide officer
- 1 Secretary

If one were to equate the three part-time specials with one full-time person, the total complement would be seven police employees. Since the estimated population of the reservations is about 430, the ratio of police employees per thousand population thus would become 16.3. The Uniform Crime Reports indicate a ratio of 2.2 police employees per 1000 is average for all cities under 10,000 in the United States in 1976.^{13/} In other words, a hamlet the size of Indian Island would at best have one police officer.

In interviewing the Sergeant of Police and two members of the police board it was learned the police do not have extra duties as one often finds in small communities. The police here are expected to perform only those duties pertaining to regulation of human behavior except for the licensing of dogs and impounding them. They seem to be generally unencumbered by excessive assignments leaving them free to do police work.

Interviews were had with only two of the police personnel, the Sergeant supervisor and the secretary. Each seemed eager to do a good job and dedicated to the task. It was evident that neither was too sure and each lacked training. It can be presumed this problem

^{13/} Crime in the United States 1976, Uniform Crime Reports, Federal Bureau of Investigation, U.S. Department of Justice, U.S. Government Printing Office, 1977, p. 224.

permeates the department. It is maintained that each member of the department has either attended or will attend a basic training school. This is a provision in the current grant. The lack of training coupled with a lack of experience tends to create doubt as to the overall efficiency. Should a serious crime or disturbance develop, outside assistance will be needed. This is possible under the current arrangement with the City of Old Town.

3. Part-time Officers

As indicated above, the department has 3 part-time officers, or specials. The department uses the same selection process for specials as for full-time officers. They receive \$2.91 per hour as compensation and receive all in-service training provided for other members of the department but do not receive academy training.

Part-time officers work alone only after at least 100 hours of in-service training, usually 3 or 4 months with the department, and only after the sergeant has evaluated their performances. Part-time officers are used in patrol, traffic, and detention (consisting of holding prisoners and transporting to jail off the reservation).

4. Patrol and Traffic

The Penobscot Tribal Police provide 24-hour, 7-day coverage on three shifts with one officer on duty per shift. The shifts are 12 a.m. - 9 a.m., 8 a.m. - 5 p.m., and 4 p.m. - 1 a.m. On a given shift, officers engage in basic patrol service, including foot patrol, traffic enforcement, prisoner transportation to jail, security of tribal buildings, and dog licensing. Patrol officers also handle

all preliminary investigations of crimes. Officers notify the dispatcher of every activity they perform and their whereabouts at all times. Each officer has had in-service training in patrol procedures, and two officers have had academy training.

All patrol officers enforce traffic laws, but traffic is usually incidental to basically crime prevention patrol. However, during certain times of the day, particularly during school hours, officers are assigned to traffic. The tribal police is the only law enforcement agency which covers accidents and writes citations on Indian Island. The department maintains traffic accident and citation statistics but does not compute a traffic enforcement index. The department does not have electronic speed detection devices available for use.

Officers receive in-service training in traffic enforcement, but all officers have not received training in accident investigation. The department does not conduct a traffic safety education program, but it does work with the state traffic engineering authority to identify and remedy traffic hazards on the reservation.

5. Investigations and Collection and Preservation of Evidence

As indicated above, patrol officers do preliminary investigations, but the Sergeant of Police does all follow-up investigations. The Sergeant has not had specialized training in investigations. The Old Town Police Department will provide, upon request, investigative service assistance for other than homicide, which is investigated by

the State Police. Fingerprinting services may be obtained from the Bangor Police Department.

Written investigation reports are not required at regular intervals by the department. No statistical information is kept on investigations. The investigator does, however, hold regular case conferences with prosecutors and informally shares information with nearby jurisdictions.

The department does not have an evidence specialist, but the Sergeant has had training in evidence collection and preservation. Services of a specialist may be obtained from the Old Town and Bangor Police Departments. The department tags all evidence and notations are made each time evidence is removed from the storage area; but the department does not have secure and restricted storage areas for evidence and property. The department may obtain laboratory services from the State Police, but such services have not yet been used.

6. Juvenile Services and Police-Community Relations

The Indian Island Police Department has a full-time youth aide officer who is on duty from 8 a.m. until 4 p.m., Monday through Friday, and is always on call. The youth officer has had seminar and some college training. All cases involving juveniles are referred to the youth officer with the sergeant working with her when involving a serious crime. The youth aide officer maintains regular relations with all schools in which children from the reservation are enrolled.

The youth officer is sworn and is qualified in the use of firearms. She sometimes assists the department in other police activities, but only if she is not involved with a juvenile case. The officer makes visits to schools, conducts parent and/or family conferences and juvenile conferences, started a youth group and plans activities with the group, serves juvenile complaints, meets with prosecutors and attends court, conducts investigations, etc. The department refers juveniles to the State Department of Human Services for provision of social services.

The Penobscot Tribal Police use a counsel-and-release techniques with juveniles. The department notifies parents of all juveniles taken into custody and advises them of their legal standing and rights and those of the juvenile under state law. The department sometimes fingerprints juveniles and maintains separate fingerprint and arrest files for them.

The sergeant and the juvenile officer have been designated primary responsibility for police-community relations. It is estimated that they each devote 10-20% of their time to community relations. The sergeant has had training in police-community relations in basic recruit training at the academy and some in-service training.

The department responds to every inquiry directed to it by individual citizens or groups. The department has written guidelines covering what information may be released to the press and by whom.

There are no efforts to encourage community groups to invite department speakers, and the department does not conduct public information campaigns on a regular basis with the exception of films on bus safety, pedestrian safety, etc., which the youth aide officer has shown to groups of children.

7. Records

The Indian Island Police have a reasonable approach to the maintenance of records.. It far transcends the records found in either of the two other reservations. Of course, they have a full-time secretary who serves as a records clerk.

The records provided indicate the following for the year of 1977:

TOTAL RECORDED ACTIVITY	871 INCIDENTS
Daily Average	2.39 "
12 Mid.- 8 a.m.	.53 "
8 a.m. - 5 p.m.	.81 "
5 p.m. - 12 Mid.	1.05 "
Calls Per Month	73 "
" " Week	17 "

Twenty percent of the calls concerned criminal activity, mostly of the misdemeanor type with four burglaries being most serious recorded. Fourteen percent were on domestic complaints and ten percent were regarding juvenile problems. The balance of 54 percent concerned miscellaneous calls for service and assistance.

Motor vehicles assigned to the department traveled twenty-five thousand two hundred miles for an average of 2,100 miles per month. Considering the fact the area has but 2.5 miles of throughfare this provided excellent, almost excessive, patrol coverage.

The records clerk is on duty from 8 a.m. until 4 p.m., Monday through Friday. The department utilizes some 101 forms, many of which were developed from the Old Town Police Department's forms. The department uses a monthly file and has policies governing who may see or have copies of records. The department does not have a control to assure that all field reports are submitted but does utilize supervisory review of those reports submitted by officers.

8. Equipment

The members of the department are furnished all necessary equipment such as uniforms, side arms, leather goods, etc.

The department has one motor vehicle which has about 60,000 miles recorded. The vehicle has equipment necessary to perform the required duties, including radio. Portable walkie-talkie radios are available.

The office is very small but apparently has necessary office equipment. In addition, the Reservation Headquarters has available almost everything in this line and it is shared with the police if needed.

9. Facilities

This is the area of greatest inadequacy. One small 8' x 8' area must serve as Police Headquarters. The secretary, Chief, Police Board, record files, desk and chairs, etc., are in this partially walled area. There is no possibility of confidentiality.

No provision exists for the detention of a subject under any condition. Thanks to the Old Town Police, booking and detention are provided. Anything of a serious nature must be taken over to Old Town for solution. This however will be alleviated with the new building.

10. Communications

The Old Town Police provide the necessary dispatcher and monitoring service for the Indian Island police. This is an excellent arrangement. It provides good radio service plus serves as a pipeline of communication with the outside world of county and state police activities. This is nearly ideal.

11. Cooperation with Outside Police Agencies

Chief of Police Jack Palo of Old Town is to be commended for his attitude regarding cooperation with the Island Reservation Police Department. Conversely, the Police Committee and the Supervisor of Police Corbett are also to be commended for accepting this cooperation. Communications, criminal identification, and detention are very important aspects of police service. These are furnished by the Old Town Police.

The current construction of a new building to house police activities and detention facilities will reduce some of the work now being done by the Old Town Police. Misdemeanants can be processed, printed and mugged and detained on the reservation. Felons will still be taken to either Old Town or Bangor.

C. The Pleasant Point Passamaquoddy Reservation Police

1. Jurisdictional Characteristics

The Pleasant Point Passamaquoddy Reservation consists of 100 acres in Washington County, Maine. The population as of November, 1977, was 523, of whom 485 are Indians. The total highway mileage on the reservation is estimated at 2.9 miles, including a stretch of State Route 190 which bisects the reservation community.

Several tribal buildings, two schools, and one church are located on the reservation. The dwellings are concentrated in two areas divided by Route 190, but a few other older homes are scattered on other parts of the reservation.

2. Organization and Staffing

The Pleasant Point Reservation is governed by an elected Governor, Lieutenant Governor, and a six-member Council. The reservation alternately elects, with the Indian Township Reservation, a non-voting representative to the state legislature.^{14/} There is no police committee, but the entire Council serves as the Police Board. The tribal government has, however, designated a public safety coordinator as a liaison to the police department.

The Pleasant Point Police Department is staffed as follows:

- Supervisor-Lieutenant
- 1 Sergeant
- 1 Corporal
- 3 Patrolmen

The department has six full-time officers and nine auxiliaries (includes Governor, Lt. Governor, 6 Council Members, and volunteer matron), thus providing an equivalent of 11.5 full-time officers per 1,000 population. The full-time officers work 42 hours per week.

The consultants were able to interview only the Lieutenant of Police, although visits were made on two separate days. The police department consists of six full-time officers, of whom only four have received academy training. It should be noted, however, that two of these officers had been added to the force only one week prior to the site visit.

^{14/} Title 22, Chapter 1355, Section 4831, Maine Revised Statutes, 1964, as amended.

3. Auxiliary Officers

The nine auxiliary officers, as mentioned above, consists of the Tribal Governor, Lieutenant Governor, six Council members, and a volunteer matron. They are paid \$3 per hour and receive only on-the-job training. The matron is not paid. The tribal government members are ex officio auxiliary officers and no selection process is used. The department always assigns a regular officer to supervise auxiliary officers and only uses the auxiliaries for back-up assistance.

4. Patrol and Traffic

The Pleasant Point Police Department provides 24-hour, 7-day patrol coverage in two 12-hour shifts. One officer is on duty during the day shift, 5 a.m. until 5 p.m., and two officers work the night shift, 5 p.m. until 5 a.m. Any assistance is provided by the county sheriff's department and the state police, as needed. On a given shift, officers engage in basic patrol, traffic enforcement, preliminary and follow-up investigations, prisoner transportation to the Calais jail or to the county jail in Machias, and escort for emergency (ambulance and fire) vehicles. Officers notify the dispatcher of every activity they perform and their whereabouts at all times. Four of the officers have had academy training in patrol procedures, and the other two officers have received in-service training.

The department relies on all officers to enforce state traffic laws. With Route 190 running through the reservation, it is estimated that 50% of patrol officers' time is spent on traffic, as no other law enforcement officers cover accidents or write citations within the reservation. The department uses electronic speed detection devices and maintains traffic accident and citation statistics, although it

does not compute a traffic enforcement index. The department does not conduct a traffic safety education program nor does it work with the state traffic engineering authority to identify and remedy traffic hazards. Four of the six officers have had training in traffic enforcement and accident investigation.

5. Investigations and Collection and Preservation of Evidence

As indicated, patrol officers conduct preliminary and follow-up investigations during their regular patrol shifts. Supplemental investigative services may be obtained from the county sheriff's department or the State Police, but the latter are usually used only for major crimes. The department's officers have had no specialized training in investigations, and although officers are required to submit daily reports on any investigative activities, no statistical information is maintained. Regular case conferences are held between officers and prosecutors, but there is no regular program for sharing information with other jurisdictions.

The department does not have evidence specialists but may obtain the services of a specialist from the State Police within an hour. However, four of the department's officers have had training in the fundamentals of evidence identification, collection, and preservation. The department tags all evidence but does not have secure, restricted-access evidence storage areas and does not maintain records of removal of evidence from the designated storage areas. The department utilizes laboratory services provided by the State Police or by a physician located in Bangor an estimated four times per month. The majority of laboratory services requested are breath and blood tests to determine alcohol content.

6. Juvenile Services and Police-Community Relations

The Pleasant Point Police Department does not have a youth specialist or juvenile officer, nor is it able to obtain this service from any other agency. The department uses a counsel-and-release technique with juveniles, always notifying parents of all juveniles taken into custody. The parents are notified of their rights and the juvenile's rights under state law. However, there are no written guidelines governing the conditions under which a juvenile may or may not be detained. When detained, juvenile offenders are fingerprinted at the Calais jail and separate files are kept on them by the Calais Police Department. Any juvenile social services referrals are channeled by the department to tribal health and social services programs or to the State Department of Human Services.

No one in the department has been designated as having primary responsibility for police-community relations. However, the department does utilize the community newsletter for public information campaigns.

7. Records

For all practical purposes, this department has no records system, and any figures reflective of departmental activities are guesses. The Lieutenant in charge and the Assistant to the Governor were asked to provide activity accounts. Those provided are greatly inflated, to the point of being totally unreliable:

Information provided:

Calls for Service	8,000	=	22 per day
Citations Issued	300	=	4/5 per day
Collisions	3	=	.1 every 4 months
Follow-up Investigations	300+	=	4/5 - 1 per day
Collection of Evidence	75	=	25% of all cases
Juvenile Offenders	125+	=	1 every 3 days
Crime Reports	600+	=	1 3/4 per day
Communications Messages	36,000+	=	99 - 100 per day
*Prisoners per Year	200+	=	17 per month

* This would provide for 38% of the total population being arrested and jailed each year.

Records are virtually nonexistent on vehicle use and other internal approaches. The Lieutenant tries to keep the Governor and his staff informed; however, there is no viable control.

8. Equipment

The members of the department are furnished necessary equipment such as uniforms, night sticks, handcuffs, etc.; however, the consultants were informed that there are not enough revolvers for all officers.

The department has one motor vehicle, a Nova with police package. The vehicle has equipment necessary to perform the required duties, including radio. Two portable walkie-talkie radios are also available.

There is no police office equipment and no police station, but dispatching is done out of the community building.

9. Facilities

This is an area of great inadequacy. As mentioned above, there is no police station and no possibility of confidentiality. Detention facilities exist in either Calais or Machias. Calais is approximately 22 miles distant and Machias is some 46 miles away. Prisoner processing is usually done in Calais, and contract jail facilities are utilized there at a cost of \$14 per day per prisoner.

10. Communications

Communications consist of a base station which is operated by the Maine Indian Transportation Authority and provides 24-hour, 7-day service. This apparently suffices, and there seems to be no problem. The department has portable radios available, and contact is maintained with County and State Police radio networks. This provides for contact in the event of an emergency -- independent of telephone or other land-line communication.

11. Cooperation with Outside Police Agencies

The reservation is remotely situated 22 miles from Calais, Maine, the nearest community of any size, and 46 miles from Machias, the county seat of Washington County. The reservation police enjoy good cooperation from the Washington County Sheriff's Office. This is probably due to the fact that the Lieutenant in charge is a deputy sheriff. This indicates confidence in him on the part of the Sheriff. The Sheriff relies upon the Lieutenant to provide Sheriff's service to the immediate area just outside the Reservation. This is an excellent arrangement and should be encouraged.

State Police are available for assistance; however, because of the remoteness of the reservation it usually takes considerable time for them to respond.

D. Indian Township Passamaquoddy Reservation Police

1. Jurisdictional Characteristics

The Indian Township Passamaquoddy Reservation consists of some 17,000 acres, or 26.6 square miles. The reservation is approximately 20 miles from Calais, the nearest town of any size, and is directly adjacent to the small town of Princeton, in Washington County. The reservation population numbers 381, of whom 340 are Indians. The resident population lives in two settlements, some 7 miles apart, and approximately 80% of the remaining area is forest lands. The total highway mileage, excluding logging roads, is approximately 40 miles, of which 35 miles is paved highway. U.S. Route 1 runs through the reservation. Several tribal buildings or facilities, two churches, one school, and several recreation areas are located on the reservation.

The social and political climate as well as demography of the reservation should also be noted in that these characteristics are considerably different from those of the other two reservations in the state. Political turmoil abounds at Indian Township, the area of the jurisdiction is four times as great as the other two combined, and although demographic data for Indian Island and Pleasant Point is not available, it is suspected that the population is considerably younger. Over 50% of the population

is 18 years or younger.^{15/}

The attitude of the police seems to be diametrically opposite to that of the other two. One example of this lies in the number of arrests. Pleasant Point Police with a population of 523 confined to an area of 100 acres arrested approximately 34 people in 1977. The Indian Township Police arrested approximately 96 in the same year, nearly three times as many.^{16/} This indicates that one out of every four residents, on an average, was arrested in 1977. Should this frequency of arrest prevail in an average community, serious political problems would certainly develop.

With the proportion of young people residing in this community, it must be considered that resentment of law and order and government in general must be mounting on a daily basis. General chaos could be in the offing.

2. Organization and Staffing

The Indian Township Reservation is governed by an elected Governor, Lieutenant Governor, and a six-member Council. The reservation alternately elects with the Pleasant Point Reservation

^{15/} Demographic data prepared by the planning office of the tribal government was obtained during the site visit. The data indicated that of 377 residents, 44 were 4 years of age and under, 149 were 5 to 17 years of age, 140 were 18 to 44 years of age, 29 were 45 to 64 years of age, and 15 were 65 and over.

^{16/} These arrest figures for 1977 are projections made from several monthly reports maintained by the Calais Police Department of the number of prisoners detained by the Calais department under contract jail arrangements with the Pleasant Point and Indian Township Police Departments. These figures are projections only for the prisoners held in the Calais facility, which is usually used by both reservation departments for processing, and does not reflect any prisoners which may have been taken to the county jail at Machias.

a non-voting representative to the state legislature.^{17/} The tribal government has not appointed a police board or committee, so the entire council oversees the operation of the police department.

The police department at Indian Township is labelled as a department of public safety and has a director of public safety as its head. The department includes one sergeant/investigator, one corporal, and two patrolmen, one of whom is a part-time officer. Three sworn auxiliaries, including the Tribal Governor and his assistant, are also available when needed. A secretary/dispatcher is provided by the tribal Comprehensive Employment and Training Act (CETA) program. This department, with four full-time officers, provides an equivalent of 10.5 full-time officers per 1,000 population. The full-time officers' standard work week is 44 hours, but it is reported that they actually work an average of 60 to 80 hours per week.

The deployment of police personnel and the attitude of the Director of Public Safety must be considered as harbingers of problems. The Director of Public Safety stated, "My office is in my car, it's the only place I trust to keep things." All personnel work 6 p.m. - 5 a.m. "because at night is when all hell breaks loose." There is obviously no concerted planned effort made to work with constituents in a crime prevention, community relations, or juvenile delinquency prevention posture.

^{17/} Title 22, Chapter 1355, Section 4831, Maine Revised Statutes, 1964, as amended.

The police services at Indian Township need improving, particularly in the light of the fact that the Sheriff of Washington County does not cooperate with the Indian Township Police. The latter is particularly complicating when it is remembered the County jail is about 55 miles distant from Indian Township. If confidence prevailed, Indian Township police could be deputized and be more effective in many ways. However, according to the Director of Public Safety, there is a ray of light in that the State Police will assist. Although the Township is contiguous to the hamlet of Princeton, little or no assistance is forthcoming because Princeton has only two police officers, and they are obviously too busy to lend much assistance.

Conversely, the Indian Township has problems which do not exist on the other two reservations. There are two distinct areas to cover and a comparatively vast area to patrol. The Peter Dana Point area causes them more trouble than the "strip" area, however, and it must be attended to much of the time. It is an awkward situation because of reservation headquarters being on the strip and the main settlement being seven miles removed. That Peter Dana Point is the seat of many problems is attested to by the building of a detention facility in that area. Actual police headquarters will be there once the facility is completed.

The Tribal Governor and Council are responsible for policy development for the police department. The Governor is responsible for budget control. The Director of Public Safety is responsible for inspections and internal investigations as well as vehicular maintenance.

3. Part-time and Auxiliary Officers

The Indian Township Police utilize one part-time and three auxiliary officers. The auxiliary officers are paired with the Director of Public Safety or the sergeant and receive only in-service training. They are compensated at \$2.91 per hour and are used in patrol and communications. The auxiliary officers include the tribal governor and his assistant.

4. Patrol and Traffic

The Indian Township Police Department does not provide 24-hour patrol coverage. There is one patrol shift, 6 p.m. until 5 a.m., and there are two officers on duty from Sunday through Thursday. On Friday and Saturday, there are five officers on duty during the shift. The shift was selected for coverage determined by an analysis of activity and calls for service. Supplementary service is provided by local officers on call, the Princeton and Woodland Police Departments, and the State Police upon request. When such supplemental service is required, a citizen contacts a local police officer or the county sheriff's department which will then contact the local officer.

Patrol officers during a given shift engage in basic patrol, traffic enforcement, preliminary and follow-up investigations, prisoner transportation to the Calais jail, emergency medical transportation, and first aid. Officers never work alone and notify the dispatcher of every activity they perform, including their whereabouts at all times. All officers have had either academy or in-service training in patrol procedures, and the department has written guidelines governing patrol operations.

The department relies on all officers to enforce state traffic laws. U.S. Route 1 passes through the reservation and is heavily traveled, especially during the summer months. The department's officers work with the State Police in the operation of radar on Route 1. Unlike on the other two reservations, the State Police cover traffic accidents and write citations when the Indian police officers are on duty and available for service, but the other two reservations do not have as busy and long a highway through the jurisdiction. It is estimated that the department's officers spend 20-25% of their time on traffic duties.

The department maintains monthly traffic accident and citation statistics but does not compute a traffic enforcement index. However, the department does conduct a selective enforcement program based on analysis of statistics. The department also conducts a traffic safety education program for school children but does not work with the state traffic engineering authority to eliminate traffic hazards on the reservation.

Officers have received academy or in-service training in traffic enforcement. The Director of Public Safety and the sergeant conduct any accident investigations and have been trained in such investigations.

5. Investigations and Collection and Preservation of Evidence

The department relies on all officers to perform follow-up investigations, but the sergeant usually does most follow-up investigations. The State Police perform all homicide investigations and may be called upon to provide other investigative services when needed. The Princeton Police Department has also assisted Indian Township Police with investigations.

Officers submit investigation reports weekly, and the department maintains statistical information on cases handled by each officer. Regular case conferences are held between officers and prosecutors, and the department shares information on a regular basis with surrounding jurisdictions.

The department does not have an evidence specialist, but these services can be acquired within 2 hours from the State Police. Officers have received some training in the fundamentals of evidence identification, collection, and preservation. The department has secure evidence storage areas with restricted access. All evidence is tagged, and notations are made when evidence is removed from or returned to storage indicating when, why, and by whom.

The department utilizes either a private laboratory in Orono, the Calais Police Department, or the State Crime Lab for analysis of DWI blood samples, latent fingerprints, and ballistics. It is estimated that such services are used five times per month.

6. Juvenile Services and Police-Community Relations

The department does not have a juvenile officer, but the part-time officer often works with children. The department also can utilize the State Police Juvenile Officer, the school on the reservation, and the State Department of Human Services for juvenile services.

The department uses the state guidelines governing conditions under which a juvenile will or will not be detained. It uses a counsel-and-release technique but notifies parents of all juveniles taken into physical custody. The parents are informed of their

rights and those of the juvenile under applicable law. The department and the Calais Police Department, where prisoner processing is done and contract jail facilities are available, maintain separate arrest and fingerprinting files on juveniles.

The department maintains regular relations with the school on the reservation but does not have this contact with schools off the reservation where reservation children are enrolled. Any juvenile social service referrals made by the department are to the on-reservation school or the State Department of Human Services.

No one in the department has been designated primary responsibility for police-community relations, and the department does not require its officers to have had community relations training although it is included in academy training. However, the Director of Public Safety indicated that often officers will spend time visiting with various residents to improve community attitudes toward the police. The department also responds to every inquiry directed to it by individual citizens or groups and sometimes conducts public information campaigns but not on a regular basis. The department encourages community groups to invite department speakers and has provided speakers on two occasions in the last year. The department does not have any guidelines on release of information to the press.

7. Records

The Director of Public Safety and the secretary/dispatcher have responsibility for the maintenance of records. A dispatcher's

log is kept, but the dispatch service is provided only from 6:00 p.m. until 2:00 a.m., five days per week. No individual arrestee records are kept by the department, but they are kept by the Calais Police Department where processing of arrestees is done. However, offense information is kept, and monthly offense reports are submitted to the State of Maine Department of Public Safety's Uniform Crime Reporting Division. No compilation of crime statistics and service load data was available during the site visit.

8. Equipment

The members of the department are furnished necessary equipment such as uniforms, sidearms, leather goods, etc. The department has one marked car and one unmarked car. The cars are standard police package Novas (marked car is 1977 model and unmarked is 1974). The department has a base radio and two portable radios and chargers.

From the standpoint of equipment, the department appears to be in fair shape. It does need an additional portable radio or two and a utility vehicle.

9. Facilities

The Indian Township Police Department currently uses as the police station a building between the two settlements which was once used as a state forest ranger station. There are no detention facilities on the reservation, but all prisoners are transported to the Calais jail. Indian Township pays \$14 per prisoner per day for contract jail facilities.

A new facility is under construction which will house the Department of Public Safety. It is located in the Peter Dana Point area of the reservation and should meet the facility needs of the department. The facility should be completed by late spring or summer of 1978.

10. Communications

Indian Township Police do not have 24-hour communications service. The dispatcher is on duty Monday and Tuesday and Thursday through Saturday from 6:00 p.m. until 2:00 a.m. During all other times, dispatch service is provided by the Washington County Sheriff's Department.

Indian Township has a two-channel base station. All incoming calls for service are logged by the dispatcher, who has received 40 hours of in-service training in communications. It is reported that transmissions are clear 100 percent of the time. Radio repair is available within 30 minutes.

11. Cooperation with Outside Police Agencies

The Indian Township Department of Public Safety has an oral arrangement to provide and receive back-up assistance when requested with Princeton and Woodland. The State Police also provide back-up assistance when requested as well as all homicide and traffic accident fatality investigations. Indian Township officers aid Princeton and Woodland and also assist the State Police in traffic enforcement when radar is in use.

The department also has the previously mentioned contractual relationship with the Calais Police Department for processing and holding prisoners.

Although the Washington County Sheriff's Department provides supplemental dispatch services, the relationship between the Sheriff's Department and the Indian Township Police is very poor. Much could be done on both sides to alleviate this problem.

E. Common Problems of the Three Maine Reservation Police Department

Certain problems seem to exist in all three Indian police departments in Maine. Although some of these have been discussed for the individual departments, they are reiterated here for emphasis.

1. Education and Training

The combined total of police personnel of the three departments is 14 full-time police officers, 4 part-time officers, and 12 auxiliary officers. Of this total, only 7 officers have completed basic recruit training. At present, however, two officers are in basic training.

Of the three departments, only one officer has received command or supervisory training during the last 36 months. No officer has received any specialized training with the exception of some limited in-service training.

2. Retention of Personnel

The attrition rate is high for each of the three departments, and the departments are therefore extremely young and inexperienced. Of the current total personnel, only four officers have from 5-10 years of police experience, and about six officers have 1-4 years experience. All other sworn personnel have less than one year of service.

3. Funding

All three reservation departments indicated problems with continuity of funding. The tribal police depend on Federal (LEAA) and state (Maine Department of Indian Affairs) funding of their operations

and facility and equipment acquisition. Little tribal income or revenue sharing is available for any purpose.

The settlement of the land claim is pending and possibly funds could be utilized from this source, but the actual payment to the tribes could be still several years away. However, most tribes have used judgment awards for education funds and other social services programs with a portion usually being distributed as a per capita payment to tribal members. Additional acreage for the tribes is also anticipated as a result of settlement of the claim. This will increase the area to be patrolled by tribal police.

Realistically, without development of the reservations, one could anticipate few tribal financial resources available to support police services during the next few years. It is anticipated that BIA law enforcement funds will be available to the Maine reservations in FY 1980. Until such time, LEAA funding is the sole source of reliable funding for the tribal police departments.

4. Management and Planning

None of the police administrators/supervisors of the Maine Indian police departments have had training in management, administration, or organization. All three departments lack in-house planning and research capabilities. The planning and research which are provided by other tribal government departments and outside sources involve budgeting, identification of potential funding sources, and grant proposal writing, but little management and tactical/operational planning, if any, are available to the departments.

It appears that no long-range planning within the departments has been done with the exception of planning of facilities. The departments are small and work on day-to-day police problems and functions, work towards a full complement of trained officers, and work, often with other divisions within the tribal government, toward securing funding for operations from one year to the next and sometimes from one month to the next.

III. FINDINGS AND CONCLUSIONS

The following findings are based on analysis of information gathered by the consultants during the site visit, interviews, and additional research. These findings together with the conclusions which follow will support the recommendations provided in the final section of this report.

A. The State of the Art of Indian Law Enforcement in Maine

In general, the state of the art of law enforcement on Maine Indian reservations is not good. The departments are young and face many problems, including funding, retention of trained personnel, and a general lack of experience and training. The departments do, however, have in their favor committed administrator/supervisors and tribal government personnel who are concerned with and working towards the development of competent, efficient, and stable departments.

1. Penobscot Reservation Police Department

Summary of Findings

- The staffing of the department is adequate for current population and jurisdictional area.
- The department's community-relations activities and public information campaign activities appear not to provide sufficient adult involvement and interaction with the police on a crime prevention and positive basis.
- The juvenile aide officer works with schools, the courts, and with the youth group on the reservation,

but apparently has not assessed and utilized off-reservation youth programs and services available through the county and state.

- Records and equipment maintenance and storage are hindered by the cramped, small quarters which serve as police headquarters. With the completion of the new facility, it is anticipated that this problem will be alleviated.
- No system serves as a control for officer submission of field reports. The dispatching log is maintained by Old Town Police Department and is not utilized as such a control device.
- The department has only one police vehicle, a Nova police package, and lacks a snowmobile to be utilized in areas where the cruiser cannot go during winter snowstorms, as well as a boat and rescue equipment to adequately provide for contingencies along the 70 miles of waterway which are part of the reservation.
- Communications services are provided by the Old Town Police Department under an arrangement with Indian Island Police. The services provided are good.
- Cooperation with the Old Town and Bangor Police Departments is good, as well as with the State Police and the Penobscot County Sheriff's Department.

Conclusions

- Additional staff is not necessary at this time for this department; however, staffing patterns should be analyzed to utilize current staff at maximum benefit.
- The sergeant/supervisor needs supervisory training and training in management, administration, and organization.
- The sergeant and juvenile officer need training in police-community relations. The department needs to begin developing and implementing a traffic safety education program and a public information campaign on crime prevention.
- Juveniles of the reservation need more access to county and state juvenile programs.
- The department should implement a control mechanism to insure that all field reports are submitted by officers.
- The department needs access to additional transportation equipment.
- The department has an excellent arrangement with the Old Town Police Department for communications services which should be maintained.
- The department should be commended for its cooperation with outside law enforcement agencies and should be encouraged to continue such efforts.

2. Pleasant Point Reservation Police Department

Summary of Findings

- No police board exists but the entire council serves as the police board with a public safety coordinator having been designated.

- The auxiliary officers are paid and receive only on-the-job training. They are Tribal Council members and are used only for back-up assistance.
- Patrol is provided on a 24-hour, 7-day basis in two 12-hour shifts.
- The department does not conduct a traffic education program nor does it work with the state highway engineering authority to identify and remedy traffic hazards.
- The department does not have secure, restricted-access evidence storage areas.
- The department does not maintain a record that indicates the continuity of evidence/property from the time it comes into the physical custody of the department until its final disposition.
- The department does not have a juvenile officer nor is it able to obtain the services of such a specialist from other agencies.
- There are no guidelines governing the conditions under which a juvenile may or may not be detained.
- No one in the department has been designated primary responsibility for police-community relations, but the department does utilize the community newsletter for public information campaigns.
- The department appears to have no records management system and has no records clerk.
- The department lacks necessary equipment, including revolvers and office equipment.

- There is no police station building, but dispatching is done out of the community. There is no possibility of confidentiality when officers are questioning suspects or witnesses.
- Communications services are provided on a 24-hour, 7-day basis by dispatchers of the Maine Indian Transportation Authority. Contact is also maintained with the county and State Police radio networks.
- There is good cooperation with the Washington County Sheriff's Department and the State Police. However, there is not much interaction with other surrounding jurisdictions.

Conclusions

- It may be wise for the council to consider the appointment of a police board to serve as a clearinghouse and in an advisory capacity to the full council on police matters.
- Auxiliary officers could be used in other capacities in addition to back-up assistance but should receive necessary training.
- Patrol operations could be enhanced by the development and implementation of optional staffing patterns based on actual workload data and which deploy personnel accordingly.
- The department may be missing an opportunity to improve community relations and highway safety by failing to conduct a traffic education program, particularly for the youth of the reservation.

- With Route 190 bisecting the reservation and with it being a fairly heavily traveled thoroughfare, there could be traffic hazards which cannot or will not be identified by other agencies since other law enforcement agencies do not patrol the reservation.
- There must be a secure storage area for evidence and property in the custody of the Pleasant Point Police Department.
- It is essential to maintain a check on all evidence and property within the custody of the department.
- The department needs the services of a juvenile officer or someone with specialized training in preventing delinquent behavior and juvenile crime.
- Guidelines are needed to govern the department's actions in juvenile matters.
- One person in the department is needed to take the responsibility for and lead in police-community relations.
- The department's handling of records needs improvement.
- The department needs more equipment if it is to function effectively.
- The department must have a central location out of which to operate, in which there can be privacy and confidentiality.
- Communications services are adequate.
- Cooperation with adjoining law enforcement agencies should be improved.

3. Indian Township Police Department

Summary of Findings

- Social and political turmoil exists on the Indian Township Reservation.
- There is an extremely high arrest rate at Indian Township.
- The Tribal Council has not appointed a police board but the entire council oversees the operation of the department.
- Officers work 60-80 hours per week but get paid for 44 hours.
- The department has one part-time officer and three sworn auxiliaries, all of whom are paid.
- The department provides patrol from 6 p.m. to 5 a.m. Supplementary service is provided by local officers on call and surrounding departments, as well as the State Police.
- The department does not work with the state traffic engineering authority to eliminate traffic hazards.
- The department does not have a juvenile officer but the part-time officer works with children. Over 50% of the reservation population is 18 years old or younger.
- The department maintains relations with the on-reservation school but not with schools off the reservation where reservation youths are enrolled. Juvenile social service referrals are made to the reservation school or the State Department of Human Services.
- No one in the department has been designated with primary responsibility for police-community relations, although officers make informal visits with residents to improve community attitudes toward police.

- The department sometimes conducts public information campaigns, but not on a regular basis.
- Communications services are provided from 6 p.m. until 2 a.m., five days per week.
- Arrest records for Indian Township are kept by the Calais Police Department where processing is done and contract jail facilities are utilized.
- The department has no detention facilities on the reservation and must transport arrestees some 20 miles to the Calais Police Department. However, a facility to house the department is under construction and it will include detention facilities.
- Interlocal cooperation is good with the departments of small towns near Indian Township and with the State Police; however, with the exception of dispatch services, cooperation is poor with the Washington County Sheriff's Department.

Conclusions

- The situation at Indian Township could erupt any moment into civil disturbance and chaos.
- The high arrest rate and night-only patrol by officers indicate that little effort is made by the department in a proactive crime prevention posture.
- The appointment of a police board to work closely with the police department could provide a political buffer between the department and the chief elected official. The police board could also give more attention and

consideration to police problems and upgrading of the department than the council which is concerned with all aspects of reservation government and services.

- Officers' compensation for the total hours they work, without compensatory time off or pay for overtime, puts them well below minimum wage.
- A review of the use and training of part-time and auxiliary officers by the department is needed.
- It is inconceivable that police services are not needed between 5 a.m. and 6 p.m., and police-community relations activities cannot all be done on the one patrol shift of 6 p.m. to 5 a.m.
- The heavily traveled U.S. Route 1 which runs through the reservation, as well as other roads at Indian Township, must at times be in need of repair and/or remedy of traffic hazards. The Indian Township Police is the appropriate agency to identify and bring such matters to the attention of the state highway engineering authority.
- There is a great need for the services of a juvenile officer at Indian Township.
- A police-community relations program is imperative at Indian Township. There is an immediate need for an officer to be designated primary responsibility for police-community relations.
- With the high incident and arrest rates at Indian Township, a regular public information/crime prevention program is needed.

- Twenty-four hour, 7-day police dispatch services are needed by the Indian Township Police Department. Although the Washington County Sheriff's Department provides supplementary dispatch services, this appears to be inadequate.
- The Indian Township Police Department needs accurate and easily retrievable records of arrests. The Calais department is too far away to maintain all arrest files.
- The department needs the cooperation of all police agencies in the area, including the Washington County Sheriff's Department.

B. Common Problems of the Three Maine Reservation Police Departments

Summary of Findings

- The police personnel are eager to do a good job but lack training. All officers have not yet completed basic police recruit training.
- Specialized training has not been completed by any officer, with the exception of in-service training.
- No management training has been completed by any officer.
- Only one officer has completed command or supervisory training in the last 36 months.
- The attrition rate is high for each of the three departments. The departments are young and inexperienced.
- The departments depend totally on Federal and state sources of funding for operations, facilities, and equipment acquisition.
- None of the police administrators/supervisors of the Maine Indian police departments have had training in management,

administration, or organization.

- None of the departments have planning and research capabilities. Planning assistance is provided from other sources but little, if any, management and tactical/operational planning is available.
- With the exception of facilities planning, no long-range planning has been done by the departments.

Conclusions

- All officers should complete basic recruit training within one year of initial employment.
- The departments need officers with specialized training in various areas of police work.
- Command and supervisory training is needed.
- The high attrition rate affects the quality of police services and something must be done to retain trained officers.
- Federal and state funding for total operations of the police effort may not always be provided.
- Training in management, administration, and organization is needed.
- Long-range and short-term planning, particularly management and tactical/operational planning, is necessary for the departments to meet the future needs of the communities.

IV. RECOMMENDATIONS

The following recommendations are offered for consideration in the improvement of law enforcement services on Maine's three Indian reservations. After careful consideration of the findings and conclusions, these recommendations are offered not as a cure-all for the problems, but as a series of steps towards the goal of competent, efficient departments to serve the reservations.

A. General Recommendations

- Efforts should be made by state and Federal departments involved with law enforcement services to assist the Maine Indian police departments in up-grading the departments and improving services to reservation residents.
- Another assessment of each of the three departments should be done within the next two years to assess progress and to provide further recommendations and suggestions as the departments develop.
- Technical assistance upon request should remain available to each of the departments.

B. Specific Recommendations

1. Penobscot Tribal Police Departments

- Manpower allocation and deployment systems and procedures should be developed and installed that will lead to the optimum utilization of human resources.
- Optional staffing patterns should be developed upon analysis of calls for service and activity. Such optional staffing might include a duty officer on call between the hours of 12 midnight and 8 a.m., during low activity

periods. This substitute for 24-hour patrol, when feasible, could ease the number of hours Indian Island police work while still providing necessary services. The Old Town dispatcher should be able to contact the duty officer at all times during the shift.

- The juvenile aide officer should enroll in a course in community and human relations as soon as possible. The University of Maine at Orono may have a suitable course available.
- The department should work with the State Department of Public Safety and with surrounding law enforcement agencies in the development of a traffic safety program and a periodic public information campaign. A police newsletter to the community could be utilized for the public information campaign.
- The juvenile aide officer should contact and develop rapport with all juvenile services programs within Penobscot County. The department should participate actively with other agencies and organizations whenever practicable to approach juvenile problems with maximum effectiveness.
- The department should inquire periodically and check the Old Town dispatcher's log to insure that all field reports have been submitted by its officers.
- The department should prioritize its transportation equipment needs and work towards acquisition or access to such equipment. Use arrangements with other agencies

could solve immediate and possibly long-range needs, although it is probable that the department will need at least one snowmobile and one boat for its use and/or joint use with the tribal game wardens.

2. Pleasant Point Reservation Police Department

- The council should assess its current oversight functions with respect to the police department and consider the advisability of the appointment of a police board to work closely with the department.

- Auxiliary officers should be used on a voluntary basis. The department should develop a policy covering under what circumstances and in what capacity auxiliary officer services should be utilized in addition to or instead of use as back-up assistance only.

The department should provide training for auxiliary officers, and they should receive the same in-service training provided for regular officers of the department. Auxiliary officers should work only under the direct supervision of a regular officer until they have completed all training requirements.

- Manpower allocation and deployment studies should be done taking into consideration the low activity periods. Twenty-four hour, 7-day patrol may not be necessary to provide adequate services but may possibly be augmented by a duty officer on call during certain low-activity periods.

- The department should consider the development of a traffic safety education program for reservation residents, particularly the youth population. The State Department of Public Safety could serve as a resource in the development of such a program.
- The department should work with the state highway engineering authority to identify and remedy traffic hazards.
- The department should seek funds for the acquisition of a facility to serve as police headquarters with secure evidence/property storage areas.
- The department should develop and implement a system to assure continuity and integrity of evidence/property in the custody of the department.
- The department should provide training for all its officers in juvenile matters and should designate an officer within the department to receive specialized training in preventing delinquent behavior and juvenile crime.
- The department should cooperate actively with other agencies and organizations in order to employ all available resources to detect and deter delinquent behavior and combat juvenile crime.
- The department should develop and implement guidelines for the release of juveniles into parental custody and the detention of juveniles.
- The lieutenant of police should be responsible for police-community relations. All officers should be provided additional in-service training in police-community relations.

- Records concerning persons arrested, interviewed or otherwise assisted should be maintained. Budget control, equipment assignment and use must be strictly accounted for at all times. These may now be available, but it would take much time to ferret them out of the several offices.
- Secretarial assistance should be secured for maintenance of records and other clerical duties.
- Temporary detention facilities should be made available to the police. The problem of transporting every prisoner to Calais each time an arrest is made is expensive both in vehicle use and manpower time expended. Prisoners should be held from the time of arrest until the next morning. Thus, more than one might be transported with one trip.
- The department should assess its equipment needs in priority order and work towards the acquisition of necessary equipment. A utility vehicle is needed, and arrangements should be made for the use of such a vehicle until such time as the department can purchase its own. Needed revolvers for officers should be acquired immediately.
- The practice of using MITA base station and dispatcher is excellent as it tends to coordinate important aspects of community life. Priority should be given to police matters and the relay of vital information between various police agencies in the area.
- The department should strive to develop good working relationships with all police agencies in the surrounding area.

3. Indian Township Police Department

- The police department, as much as possible, should divorce itself from political disputes and factional infighting within the reservation. The department should maintain law and order in an unbiased, neutral, and consistently fairhanded fashion.

- While arrest is necessary in many cases, police at Indian Township should develop crime prevention and diversion policies.

The greatest single problem existing in the Indian Township situation is attitude and concept. The personnel should be re-deployed to emphasize crime prevention and juvenile delinquency prevention programs. There is no facet of government that can be as effective as police in these two areas.

- The creation of a police board, appointed by the Governor subject to confirmation by the Council, should be considered. This would remove the implied total control by the Governor. It would create a buffer and provide for continuity of policing.

- Officers should be compensated for the overtime hours they work either by overtime pay or compensatory time off.

- Auxiliary officers should be utilized on a voluntary basis. Both auxiliaries and part-time officers should receive training and all in-service training which regular officers of the department receive.

- Shifts should be evaluated and adjusted to reflect effective utilization of manpower not only in patrol and general reactive police services and work but also in crime prevention and proactive police activities. An officer should be on duty during the day.
- The department should coordinate and cooperate with the state highway engineering authority to identify and remedy traffic hazards on the reservation.
- The department should employ the services of a juvenile officer, at least on a part-time basis. In addition, all officers should be afforded additional training in juvenile problems and human relations.
- The director of public safety should assume primary responsibility for police-community relations, but all officers should be provided additional in-service training in police-community relations. A crime prevention and public information program should be developed, perhaps including a periodic police newsletter covering crime prevention, home and highway safety tips, etc.
- The department should obtain 24-hour, 7-day communications services. Perhaps, some arrangement could be made with the Town of Princeton and/or the Maine Indian Transportation Authority (MITA) to jointly utilize and pay dispatchers to provide 24-hour service.
- The Indian Township Police Department should maintain individual arrest records although processing of arrestees and detention facilities are provided by the Calais Police Department.

- Cooperation and relationships with the Washington County Sheriff's Department should be improved.

4. Common Problems of the Three Departments

- The officers of the departments should receive basic police training as soon as possible. Special emphasis in the training should be placed on community and human relations since much of their work involves domestic and juvenile problems. Training can be accomplished through the use of "specials" (part-time officers) while regular officers are in school.
- Various officers in the departments should receive specialized training to ensure that each department has personnel with specialized training in all areas of police work necessary to provide adequate police services to the reservations. Until such time that each department has its own specialists, arrangements should be made to utilize specialists of the State Police or the county sheriff departments or other surrounding jurisdictions on an as-needed basis.
- The administrators/supervisors should attend the Maine Police Academy for supervisory training and training in management, administration, and organization as soon as practicable.
- The departments should review salaries, fringe benefits, length of work week, and working conditions in comparison with those of other departments and other employers in the area. Adjustments in salaries and benefits and feasible

improvements in working conditions should be provided to meet the competition of other employers in the area. The departments should review such factors periodically thereafter.

- The three reservation governments should continue to seek state and Federal funding of police operations but should also assess funding alternatives for police operations, including local revenue-producing methods, to insure continuity of funding of police operations if the state and federal sources diminish or disappear.
- A criminal justice planner should be made available to the three departments to assist them with immediate management and tactical/operational planning. Each department should then develop in-house planning capabilities.

END