



## Judicial Council of California

Tribal Court–State Court Forum

[www.courts.ca.gov/forum.htm](http://www.courts.ca.gov/forum.htm)

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### TRIBAL COURT–STATE COURT FORUM

#### NOTICE AND AGENDA OF OPEN MEETING WITH CLOSED SESSION

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.75(c), (d), and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

OPEN PORTION OF THIS MEETING IS BEING RECORDED

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**Date:** April 10, 2025  
**Time:** 12:15-1:15 p.m.  
**Public Call-In Number:** <https://jcc.granicus.com/player/event/4007>; (Listen Only)

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Meeting materials for open portions of the meeting will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the open meeting portion of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [forum@jud.ca.gov](mailto:forum@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### **I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))**

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##### **Call to Order and Roll Call**

##### **Approval of Minutes**

Approve minutes of the February 13, 2025, Tribal Court–State Court Forum meeting.

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#### **II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))**

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [forum@jud.ca.gov](mailto:forum@jud.ca.gov), attention: Ann Gilmour. Only written comments received by 12:15 p.m. on April 9, 2025 will be provided to advisory body members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1–X)**

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**Item 1**

**Government Accountability Office Public Law 280 Study (No Action Required)**

Update on the Status of the study of the Impact of Public Law 280 on Tribal Nations being conducted by the Federal Government Accountability Office.

Presenter: Judge Abby Abinanti, Chief Judge of the Yurok Tribal Court, Cochair of the Tribal Court – State Court Forum.

**Item 2**

**Agenda Items for the September 18 Forum In-person meeting (No Action Required)**

Open discussion of priorities for discussion and presentation at the September in-person meeting in Sacramento.

Presenter(s)/Facilitator(s): All

**Item 3**

**September 19 Event Recognition and Enforcement of Tribal Court Orders (No Action Required)**

Members to set priority topics for discussion and presentation at the Sacramento event taking place on September 19, 2025.

Presenter(s)/Facilitator(s): All

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**IV. ADJOURNMENT**

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**Adjourn to Closed Session**

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**V. CLOSED SESSION (CAL. RULES OF COURT, RULE 10.75(D))**

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**Item 1**

**Legislative Update**

Members will receive an update on legislation of potential interest to the committee.

**Adjourn Closed Session**



# Judicial Council of California

Tribal Court–State Court Forum

[www.courts.ca.gov/forum.htm](http://www.courts.ca.gov/forum.htm)  
[forum@jud.ca.gov](mailto:forum@jud.ca.gov)

## TRIBAL COURT–STATE COURT FORUM

### MINUTES OF OPEN MEETING

February 13, 2025

12:15-1:15 p.m.

Virtual

**Advisory Body Members Present:** Hon. Abby Abinanti, Cochair, Hon. Joyce Hinrichs, Cochair, Hon. Lucy Armendariz, Hon. Yvette Ayala Henderson, Hon. Richard Blake, Ms. Laila DeRouen, Hon. Leonard Edwards, Hon. Ana Espana, Hon. Christopher Haug, Hon. Lawrence King, Hon. Patricia Lenzi, Hon. Kristina Lindquist, Hon. Nicholas Mazanec, Hon. April Olson, Hon. Victorio Shaw, Hon. Dean Stout, Hon. Alison Tucher, Hon. Juan Ulloa, Hon. Christine Williams, Hon. Zeke Zeidler.

**Advisory Body Members Absent:** Hon. Michele Fahley, Hon. Devin Flesher, Hon. Winston Keh, Ms. Merri Lopez-Keifer, Hon. Dorothy McLaughlin, Ms. Andrea Pella, Hon. Stephen Place, Hon. Mark Ralphs, Ms. Christina Snider-Ashtari.

**Others Present:** Ms. Deanna Adams, Ms. Vida Castaneda, Ms. Charli Depner, Ms. Audrey Fancy, Ms. Ann Gilmour, Ms. Jessica Henderson, Hon. Joan Irion, Ms. Christy Simons.

### OPEN MEETING

#### Call to Order and Roll Call

The chair called the meeting to order at 12:16 p.m. and took roll call.

#### Approval of Minutes

The advisory body reviewed and approved the minutes of the December 12, 2024, Tribal Court–State Court Forum meeting. Motion to approve by Judge Dean Stout, seconded by Judge Richard Blake.

### DISCUSSION AND ACTION ITEMS (ITEMS 1–4)

#### Item 1

##### Cochair Report

Judge Abby Abinanti updated the committee on the 'We're Better Together' ICWA collaborative grant with the Administration for Children and Families. The project aims to address administrative gaps, hire staff to improve court systems, and collect data to ensure long-term sustainability. Judge Joyce Hinrichs added that the goal is to create a model that other courts can adapt to. While the grant focuses on family wellness courts, she believes the system can be expanded to other courts.

#### Item 2

**Collaborative Justice Courts Advisory Committee SB 910 and Standards of Judicial Administration**

Ms. Deanna Adams shared that the Collaborative Justice Courts Advisory committee is updating court standards under SB 910, which requires treatment courts to follow best practices. They're revising outdated drug diversion standards and incorporating new All Rise guidelines. The revisions will be open for public comment in mid-April and are expected to be finalized by January 2026, though pending legislation may alter the timeline.

**Item 3**

**Center for Indigenous Law & Justice, University of California Berkley School of Law**

Ms. Ann Gilmour shared that Ms. Mary Lopez Kiefer has left her role at the Attorney General's Office and is now heading an Indigenous law program at UC Berkeley.

**Item 4**

**Self Help Guide Webpage on Registration and Enforcement of Tribal Court Orders**

Ms. Ann Gilmour shared with the committee an update about a new page on the Judicial Council's website that helps with registering and enforcing tribal court orders. The page compiles resources on topics like money judgments, conservatorship, child custody, and domestic violence orders. It aims to assist in navigating existing processes, which were previously difficult to find. Ms. Ann Gilmour also requested feedback on the page's content and suggestions for improvement, such as adding resources on "comity" and making the site easier to find on the main court website.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 12:57 p.m.

Approved by the advisory body on enter date.

# Congress of the United States

Washington, DC 20515

June 26, 2023

The Honorable Gene Dodaro  
Comptroller General  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Dodaro:

We are concerned about the extent to which complex jurisdictional rules governing criminal justice inside and outside of Indian Country impact American Indian and Alaska Native Tribes and communities, and we ask that GAO examine criminal justice outcomes in states that have jurisdiction over tribal lands as a result of Public Law 83-280 (18 U.S.C. § 1162, 28 U.S.C. § 1360) (commonly referred to as “P.L. 280”) compared to other states.

GAO has previously reported that American Indian and Alaska Native communities are considered to be among the most vulnerable to violence, human trafficking, and involvement with the justice system, yet data on the prevalence of crises such as missing and murdered women, justice-involved youth, and human trafficking in Indian country are difficult to quantify and often unknown. The public safety crisis in rural Alaska is so great the Department of Justice declared it a federal emergency in 2019.

While federal agencies provide support to federally recognized tribes in Indian country and help tribes administer justice, states typically do not have jurisdiction to prosecute offenders in Indian country unless a federal law grants such jurisdiction. With some exceptions, P.L. 280 ceded criminal jurisdiction over tribal lands from the federal government to state governments in six states – Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin – granting these states jurisdiction to prosecute crimes by or against American Indians and Alaska Natives in Indian country. The law also allowed other states to elect to assume full or partial state jurisdiction (collectively, “P.L. 280 states”). Notably, when P.L. 280 was enacted into law, the federal government did not provide additional resources to states to offset the assumption of new criminal jurisdiction and law enforcement responsibilities. In addition, P.L. 280 was imposed on tribes without tribal consent, or even consultation.

As recently as 2021, GAO noted that tribes and tribal stakeholders expressed concerns about challenges with cross-jurisdictional cooperation and a lack of comprehensive national data on missing and murdered Indigenous cases, among other concerns.<sup>1</sup> We believe that P.L. 280 has created jurisdictional and funding challenges that result in crimes, particularly those committed by non-Native individuals, going uninvestigated and unpunished.

An additional consequence has been that without federal money appropriated to the Bureau of Indian Affairs in P.L. 280 states for “Public Safety and Justice” (PSJ) programs, federally recognized tribes in P.L. 280 states are denied the opportunity to exercise tribal sovereignty and fully operate PSJ programs, as authorized under the Indian Self-Determination and Education Assistance Act, reducing access to justice and judicial services even though tribes continue to have concurrent jurisdiction with the P.L. 280 states.

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<sup>1</sup>GAO, *Missing or Murdered Indigenous Women: New Efforts are Underway but Opportunities Exist to Improve the Federal Response* [GAO-22-104045](#) (Washington, D.C.: Oct. 28, 2021).

In light of these growing concerns, we ask that GAO provide information on and examine the following questions:

- 1) What state and federal criminal justice system data are available on criminal justice outcomes related to P.L. 280 states versus non-P.L. 280 states, and what does that data show?
- 2) What additional data is needed, if any, to better understand criminal justice outcomes in these states?
- 3) How does P.L. 280 impact law enforcement staffing, investigations, and outcomes for tribal communities in P.L. 280 states versus non-P.L. 280 states?
- 4) What concerns do stakeholders have on impacts of investigations of and protections for missing or murdered Indigenous women and people in P.L. 280 states versus non-P.L. 280 states?
- 5) What, if any, federal efforts are underway to address reported justice system inequities in P.L. 280 states?
- 6) Has the federal government provided comparable or equivalent resources to tribal and/or state governments in P.L. 280 states, including not just law enforcement, but also prosecutorial resources and recidivism measures? And how has P.L. 280 impacted public safety funding, infrastructure for tribal courts, police, and other tribal justice agencies?
- 7) What were the initial impacts of P.L. 280 on public safety for tribes and what are the reported present-day impacts? How have the impacts of P.L. 280 changed over time?
- 8) How does the public safety of tribes in P.L. 280 states, response times from local police, jurisdictional clarity, relationships with state and county public safety partners compare with those tribes in non-P.L. 280 states?
- 9) How has P.L. 280 impacted the development of tribal government law enforcement and court systems?
- 10) By state (P.L. 280 and non-P.L. 280), what federal money has been distributed to tribes and tribal organizations for public safety and justice?

Thank you for your consideration of our request, and we look forward to your response.

Sincerely,



Alex Padilla  
United States Senator

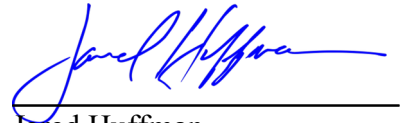


Lisa Murkowski  
United States Senator

A handwritten signature in blue ink that reads "Jeffrey A. Merkley". The signature is fluid and cursive, with a prominent underline at the end.

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Jeffrey A. Merkley  
United States Senator

A handwritten signature in blue ink that reads "Jared Huffman". The signature is cursive and elegant, with a long horizontal stroke at the end.

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Jared Huffman  
Member of Congress



441 G St. N.W.  
Washington, DC 20548

July 12, 2023

Congressional Requesters:

Thank you for your letter requesting that the Government Accountability Office review matters relating to the criminal justice outcomes in states that have jurisdiction over tribal lands as a result of Public Law 83-280 compared to other states.

GAO accepts your request as work that is within the scope of its authority. At the current time we anticipate that staff with the required skills will be available to initiate an engagement in about five months. Your request has been assigned to Mr. Charles Michael Johnson, Jr., Managing Director, Homeland Security and Justice. Closer to the time GAO can start this engagement, Mr. Johnson or a member of his team will contact with the staff points of contact to confirm that this request continues to be your priority for us. As applicable, we will also be in contact with the cognizant Inspector General's office to ensure that we are not duplicating efforts. If an issue arises during this coordination, we will consult with you regarding its resolution.

If you have any questions, please contact Mr. Johnson at 202-512-7331 or [johnsoncm@gao.gov](mailto:johnsoncm@gao.gov), or Mr. Carlos Diz, Assistant Director, Congressional Relations, on my staff at 202-512-8256 or [dizc@gao.gov](mailto:dizc@gao.gov).

Sincerely yours,

A handwritten signature in black ink, appearing to read "A. Clowers".

A. Nicole Clowers  
Managing Director  
Congressional Relations

Attachment

Ref: CCAR 23-0934



Attachment: List of Requesters

The Honorable Jeffrey A. Merkley  
Chair, Subcommittee on Interior, Environment, and Related Agencies  
Committee on Appropriations  
United States Senate  
(POC: Meredith Booker)

The Honorable Alex Padilla  
United States Senate  
(POC: Sarah Swig)

The Honorable Lisa Murkowski  
United States Senate

The Honorable Jared Huffman  
House of Representatives



U.S. GOVERNMENT ACCOUNTABILITY OFFICE

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441 G St. N.W.  
Washington, DC 20548

February 25, 2025

The Honorable Lisa Murkowski  
Chairman  
Committee on Indian Affairs  
United States Senate

The Honorable Jeff Merkley  
Ranking Member  
Subcommittee on Interior, Environment, and Related Agencies  
Committee on Appropriations  
United States Senate

The Honorable Alex Padilla  
United States Senate

The Honorable Jared Huffman  
House of Representatives

Subject: Impact of Public Law 280 on Tribal Nations

This letter confirms our commitment to examine Public Law 280's impact on tribal public safety, justice, and related issues, based on your request letter to the Comptroller General. As shared with your staff in December 2024, we plan to deliver our work in two separate reports. The first enclosure sets forth the key aspects of both engagements and enclosure II lists the requesters with whom we will be coordinating our work.

The first engagement (107533) is focused on the impact of P.L. 280 on public safety and justice in Alaska Native villages. We plan to complete our work and send a draft product to the agencies for comment in August 2025.

The second engagement (108087) is focused on the impact of P.L. 280 on tribal public safety and justice in select lower 48 states. We plan to complete our work and send a draft product to the agencies for comment in April 2026.

We look forward to working with you and your staff on these engagements. If you have questions, you may contact me at (202) 512-7952 or [GoodwinG@gao.gov](mailto:GoodwinG@gao.gov). You may also contact the Assistant Director, Tracey Cross, at (213) 830-1030 or [CrossTA@gao.gov](mailto:CrossTA@gao.gov)

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Gretta L. Goodwin". The signature is fluid and cursive, with the first name "Gretta" being more prominent.

Gretta L. Goodwin, Director  
Homeland Security and Justice

Enclosure

cc: Amber Ebarb  
Lucy Murfitt  
Anna Powers  
Sarah McKinnis  
Meredith Booker  
Anthony Sedillo  
Sarah Swig  
Sarah McKinnis  
Morgan McCue  
John Driscoll

# Terms of Work

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## Report 1: Impact of Public Law 280 on Alaska Native Villages (107533)

### Objectives/Key Questions

To provide information on the impacts of P.L. 280 on public safety and justice in Alaska Native villages, our review will address the following key questions:

1. What do federal data and research show about P.L. 280's impact on public safety and criminal justice in Alaska Native villages?
2. What are tribal, federal, and state officials' views concerning P.L. 280 and its impact on public safety and justice in Alaska?
3. What tribal, federal, state, and local government efforts, are underway to address the public safety and justice challenges related to P.L. 280 in Alaska?

### Scope and Methodology

For the first objective, we will synthesize published research from government agencies, academic researchers, legal scholars, and non-governmental stakeholders on tribal public safety and justice in Alaska. We will review available tribal public safety and criminal justice reports from the Department of Justice (DOJ) and Bureau of Indian Affairs (BIA). We will also analyze available Alaska state crime data to determine how crime rates compare with other P.L. 280 and non-P.L. 280 states. We will interview relevant non-governmental stakeholders, academic researchers, and legal scholars with subject matter knowledge on the effects of P.L. 280 on public safety and justice in Alaska Native villages.

For the second objective, we will interview leaders from a non-generalizable selection of Tribes in Alaska. We will also hold listening sessions during site visits to collect village residents' experiences with P.L. 280 jurisdiction and perspectives on the law's impact on tribal public safety and justice. Additionally, we will interview and obtain perspectives from relevant BIA and DOJ officials and officials from the State of Alaska.

For the third objective, we will examine documented tribal, federal, and state efforts to address challenges associated with P.L. 280 in Alaska. The team will analyze related tribal, federal, and state reports and articles documenting instances of such efforts, where they exist. We will also interview select tribal, federal, and state officials that are involved in efforts to address P.L. 280 challenges. To the extent possible, we will also describe tribal, federal, state, and local perspectives on the benefits, challenges, and results of these efforts.

The work will be done in accordance with generally accepted government auditing standards.

### Reporting on Status of Our Work

We will periodically discuss the status of our work with you and/or your staff.

# Terms of Work

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## **Date to Agencies for Comments**

After GAO has developed the product's preliminary message, we will provide a specific date when a draft of the product will be sent to the Department of Interior and Department of Justice for comment. We will provide you with an informational copy of the report when it is sent to the agencies for comment.

## **Product Issuance Date**

Once GAO has received agency comments, we will set a product issuance date and notify you of this date.

# Terms of Work

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## **Report 2: Impact of Public Law 280 on Tribal Nations in the Lower 48 States (108087)**

### **Objectives/Key Questions**

To provide information on the impact of P.L. 280 on public safety and justice in select lower 48 states, our review will address the following key questions:

1. What do federal data and research show about P.L. 280's impact on tribal public safety and criminal justice in select lower 48 states?
2. What are tribal, federal, and state officials' views concerning P.L. 280 and its impact on public safety and justice in select lower 48 states?
3. What tribal, federal, state, and local government efforts are underway to address the public safety and justice challenges related to P.L. 280 in select lower 48 states?

### **Scope and Methodology**

For the first objective, we will conduct a literature review to synthesize published research on P.L. 280 and its impact on tribal public safety and criminal justice in select lower 48 states. We will also analyze and compare available Bureau of Indian Affairs (BIA) and Department of Justice (DOJ) data on crime and federal public safety and justice funding between P.L. 280-impacted Tribes and non-P.L. 280-impacted Tribes. We will interview relevant non-governmental stakeholders, academic researchers, and legal scholars with subject matter knowledge on the effects of P.L. 280 on public safety and justice in Alaska Native villages.

For the second objective, we will interview a non-generalizable selection of four to five P.L. 280-impacted Tribes in select lower 48 states—including California, Nebraska, and Oregon—during site visits and develop case studies. In making our selection of Tribes, we will consider the Tribe's population size, distance from police precincts, and other factors. Additionally, we will interview relevant federal, state, and local officials about P.L. 280's impact on tribal public safety, criminal justice, staffing, funding, and investigations.

For the third objective, we will analyze documented tribal, federal, and state efforts to address challenges associated with P.L. 280 in select lower 48 states. The team will analyze related tribal, federal, and state reports and articles documenting instances of such efforts, where they exist. We will also interview select tribal, federal, and state officials that are involved in efforts to address P.L. 280 challenges. To the extent possible, we will also describe tribal, federal, state, and local perspectives on the benefits, challenges, and results of these efforts.

The work will be done in accordance with generally accepted government auditing standards.

### **Reporting on Status of Our Work**

We will periodically discuss the status of our work with you and/or your staff.

# Terms of Work

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## **Date to Agencies for Comments**

After GAO has developed the product's preliminary message, we will provide a specific date when a draft of the product will be sent to the Department of Homeland Security and Department of Justice for comment. We will provide you with an informational copy of the report when it is sent to the agencies for comment.

## **Product Issuance Date**

Once GAO has received agency comments, we will set a product issuance date and notify you of this date.

# List of Requesters

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The Honorable Lisa Murkowski  
Chairman

Committee on Indian Affairs  
United States Senate

(Staff Member: Amber Ebarb, [Amber\\_Ebarb@indian.senate.gov](mailto:Amber_Ebarb@indian.senate.gov), Lucy Murfitt, [Lucy\\_Murfitt@indian.senate.gov](mailto:Lucy_Murfitt@indian.senate.gov), Anna Powers, [Anna\\_Powers@indian.senate.gov](mailto:Anna_Powers@indian.senate.gov), Sarah McKinnis, [Sarah\\_McKinnis@indian.senate.gov](mailto:Sarah_McKinnis@indian.senate.gov))

The Honorable Jeff Merkley  
Ranking Member

Subcommittee on Interior, Environment, and Related Agencies  
Committee on Appropriations

United States Senate

(Staff Member: Meredith Booker, [Meredith\\_Booker@merkley.senate.gov](mailto:Meredith_Booker@merkley.senate.gov), Anthony Sedillo, [Anthony\\_Sedillo@appro.senate.gov](mailto:Anthony_Sedillo@appro.senate.gov))

The Honorable Alex Padilla

United States Senate

(Staff Member: Sarah Swig, [Sarah\\_Swig@padilla.senate.gov](mailto:Sarah_Swig@padilla.senate.gov))

The Honorable Jared Huffman

House of Representatives

(Staff Member: Morgan McCue, [Morgan.McCue@mail.house.gov](mailto:Morgan.McCue@mail.house.gov), John Driscoll, [John.Driscoll@mail.house.gov](mailto:John.Driscoll@mail.house.gov))



Proposed topics for Recognition and Enforcement Summit:

- What are the current barriers to getting orders recognized and enforced at the practical level?
- Does current California law and practice fully implement full faith and credit requirements of VAWA? FF & C requirements go beyond DV provisions of Family Code to include other kinds of protective orders;
- Recognition and enforcement of civil harassment orders?
  - What about online harassment, tech stuff?
- Trespass and stay away orders
- Traffic
- Other forms of civil orders entitled to “comity”.