

Kootenai County Sheriff Office Patrol On Tribal Lands Timeline

And

Kootenai County Regional Air Support Timelines

- 5/12/22 Kootenai County Regional Air Support, Inc Non-Profit formed with the state of Idaho. KCSO LT Mark Ellis is listed as the registered agent and uses the KCSO address of 5500 N Government Way . This corporation is allegedly formed to purchase a private helicopter
- 2022- Unknown Date, CDA Tribe donates 200k towards the Helicopter
- 10/4/2022 KC BOCC minutes, Sheriff Norris and LT Ellis speak to the Commissioners about the KCRAS Corp and disclose the CDA Tribe's donation of 200k
- BOCC Meeting 10/4/22 <https://www.youtube.com/watch?v=IfVA4QHUnI> Starting at 45:50 mark concerning helicopter. BOCC directs Sheriff Norris to bring forth an official proposal/MOU to consider.
- 10/18/22 KC Prosecutor Stan Mortensen emails USAID Traci Whelan, KCSO LT Sifford and CDA Tribal Police Chief Weinclaw discussing how Tribal Police can patrol on KC in lieu of KCSO deputies.
- 10/18/22 KCSO LT Sifford email states that KCSO will be cross deputizing all Tribal Police and references a "flow chart"
- 12/8/22 CDA Tribal Counsel Van Orden emails KCSO LT Sifford stating that "Tribal leadership would prefer that the Tribal Police function as the primary law enforcement agency on the Reservation, whether the call involves a Tribal member or not".
- 02/28/23 BOCC Meeting <https://www.youtube.com/watch?v=FlxYk7-zTvM> Starting at 18:22 KCSO Sheriff Norris and LT Ellis present to the BOC a Memo of Understanding (MOU) for Kootenai Regional Air Support and states Civil Asset Forfeiture funds(100k) will be used to purchase equipment and that the non-profit KCRAS liability insurance would cover operations. Also, FOIA is not applicable to private aircraft. BOCC approves the MOU and Asset Forfeiture funds of 100k from the County to the Non-Profit.

- 2023 Date unknown, KCSO discontinues routine patrol and responding to any call for service unless specifically requested by tribe
- Benewah County Sheriff Eells confirms that BCSO began getting dispatched to emergency calls in KC in the spring of 2023 due to KC not having any units to respond.

Business Search
Searching starts with your entered keyword.

Kootenai County Regional 🔍

Advanced Search Options ▾

Results: 1

Form Info	Status	Filing Date	Agent
Kootenai County Regional Air Support, Inc. (4745664) <i>Non-Profit Corporation (D)</i>	Active-Good Standing	05/12/2022	Mark Ellis

<https://sosbiz.idaho.gov/search/business>



STATE OF IDAHO
 Office of the secretary of state, Lawrence Denney
ARTICLES OF INCORPORATION (NONPROFIT)
 Idaho Secretary of State
 PO Box 83720
 Boise, ID 83720-0080
 (208) 334-2301
 Filing Fee: \$30.00

For Office Use Only

-FILED-

File #: 0004745664

Date Filed: 5/12/2022 6:05:47 PM

-6007 05/12/2022 6:06 PM Received by ID Secretary of State Lawrence Denney

Articles of Incorporation (Nonprofit)							
Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee \$30)						
Article 1: Corporation Name Entity name	Kootenai County Regional Air Support, Inc.						
Article 2: Effective Date The corporation shall be effective	when filed with the Secretary of State.						
Article 3: Purpose The purpose for which the corporation is organized is:	General Nonprofit						
Article 4: Voting Members: The corporation	has voting members.						
Article 5: Asset Distribution on Dissolution Upon dissolution the assets shall be distributed:	all assets will be distributed to another nonprofit organization with a similar purpose.						
Article 6: IRS Designation Is this nonprofit a 501(c)3? 501(c)3 purpose for which the corporation is organized:	Yes To (i) own assets and to operate said assets for the benefit of members of the public by providing low or no cost use of the assets; (ii) to support charitable organizations by periodically providing the assets to organizations for charitable purposes; and (iii) for the transaction of any lawful activity, except as otherwise restricted herein.						
Article 7: The mailing address of the corporation shall be: Mailing Address	5500 N GOVERNMENT WAY COEUR D ALENE, ID 83815-9259						
Article 8: Registered Agent Name and Address Registered Agent	Registered Agent Mark Ellis Physical Address: 5500 N. GOVERNMENT WAY COEUR D'ALENE, ID 83816 Mailing Address: 5500 N GOVERNMENT WAY COEUR D ALENE, ID 83815-9259						
<input checked="" type="checkbox"/> I affirm that the registered agent appointed has consented to serve as registered agent for this entity.							
Article 9: Incorporator Name(s) and Address(es)							
<table border="1"> <thead> <tr> <th>Name</th> <th>Incorporator Address</th> </tr> </thead> <tbody> <tr> <td>Todd Stam</td> <td>1831 N. LAKEWOOD DRIVE COEUR D'ALENE, ID 83814</td> </tr> <tr> <td>Terry Forrester</td> <td>1831 N. LAKEWOOD DRIVE COEUR D'ALENE, ID 83814</td> </tr> </tbody> </table>		Name	Incorporator Address	Todd Stam	1831 N. LAKEWOOD DRIVE COEUR D'ALENE, ID 83814	Terry Forrester	1831 N. LAKEWOOD DRIVE COEUR D'ALENE, ID 83814
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Terry Forrester	1831 N. LAKEWOOD DRIVE COEUR D'ALENE, ID 83814						

FAA REGISTRY

N-Number Inquiry Results

N-NUMBER ENTERED: 67176

AIRCRAFT DESCRIPTION

Serial Number	5119	Status	Valid
Manufacturer Name	BELL	Certificate Issue Date	12/02/2022
Model	206B	Expiration Date	12/31/2029
Type Aircraft	Rotorcraft	Type Engine	Turbo-shaft
Pending Number Change	None	Dealer	No
Date Change Authorized	None	Mode S Code (base 8 / Oct)	52161333
MFR Year	1994	Mode S Code (Base 16 / Hex)	A8E2DB
Type Registration	Government	Fractional Owner	NO

REGISTERED OWNER

Name	KOOTENAI COUNTY REGIONAL AIR SUPPORT		
Street	5500 N GOVERNMENT WAY		
City	COEUR D ALENE	State	IDAHO
County	KOOTENAI	Zip Code	83816
Country	UNITED STATES		

AIRWORTHINESS

[Aircraft Inquiry \(faa.gov\)](https://www.faa.gov)

[untitled]
LIEUTENANT ZACHARY P. SIFFORD 2366
KOOTENAI COUNTY SHERIFF'S OFFICE
PATROL DIVISION
PUBLIC INFORMATION OFFICER
5500 N. GOVERNMENT WAY
COEUR D' ALENE IDAHO, 83815
208-446-2245

From: Van Orden, Eric R. <eric.vanorden@cdatribe-nsn.gov>
Sent: Thursday, [December 8, 2022 2:29 PM](#)
To: Zachary Sifford <zsifford@kcgov.us>; Stevenson, Tyrel <tyrel.stevenson@cdatribe-nsn.gov>
Subject: RE: Questions for Monday

Hi Zach,

As the Chairman has said before, Tribal leadership would prefer that the Tribal Police act as the primary law enforcement agency on the Reservation, whether the call involves a Tribal member or not. Because the Tribal Officers are cross deputized by Kootenai County they can handle all calls on the Reservation. There may be times when Tribal Officers can't respond or need back up so in those cases the Tribal Police may call the County for assistance. I agree with the other points in your email. There likely won't be many occasions where a County deputy would exercise authority as a Tribal Officer, but it is good to have some training. I also agree that if the County is primary on a call then the County's standard operating procedures should be followed.

Let me know if you have any other questions. Thanks,

Eric

Sent: Thursday, December 8, 2022 10:53 AM

To: Stevenson, Tyrel <tyrel.stevenson@cdatribe-nsn.gov<mailto:tyrel.stevenson@cdatribe-nsn.gov>>; Van Orden, Eric R. <eric.vanorden@cdatribe-nsn.gov<mailto:eric.vanorden@cdatribe-nsn.gov>>

Subject: Questions for Monday

Warning

This email is from an external source: Please DO NOT open links or attachments from untrusted senders!

- CDA Tribe IT Department

Good Morning,

KCSO has the following specific questions for our meeting Monday. In the event the chairman or Bob cannot make it, we wanted to make sure the following topics could be addressed:

1. We need clarification along with Tribal Police that the Tribal Leadership prefers Tribal Police handle primary on all calls, traffic stops and incidents where a tribal member or entity is involved. However, KCSO will provide, assistance, intelligence and/or resources as needed or requested.

2. To go along with #1, KCSO will be cross-deputized into Tribal Courts HOWEVER, will not carry out that authority on a self-initiated traffic stop or incident unless a tribal officer is not available. KCSO will rarely carry out this function but will have training and authority to do so if ever needed.

* In addition to this, IF KCSO ever handles primary on a situation where a helicopter, drone, SWAT Bearcat, or K9 would be deployed per our policy/and standard operating procedure, we will do so. KCSO wants to ensure Tribal Leadership is aware of this.

Thanks,

Zack

[untitled]

From: Zachary Sifford </O=EXCHANGE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ZACHARY SIFFORD27C>
Sent: Tuesday, October 18, 2022 2:11 PM
To: [Stanley Mortensen](#); ['Whelan, Traci \(USAID\)'](#)
Cc: Rob Weinclaw
Subject: RE: Tribal Jurisdiction issues
Attachments: image001.png

Stan,

The Sheriff's Office is cross deputizing all tribal officers. We are in the process of finalizing a flow chart from Traci that shows who will handle what on the reservation. Thanks for getting back.

Zack

[untitled]
LIEUTENANT ZACHARY P. SIFFORD 2366
KOOTENAI COUNTY SHERIFF'S OFFICE
PATROL DIVISION
5500 N. GOVERNMENT WAY
COEUR D' ALENE IDAHO, 83815
208-446-2245

From: [Stanley Mortensen <smortensen@kcgov.us>](#)
Sent: Tuesday, October 18, 2022 2:09 PM
To: ['Whelan, Traci \(USAID\)'](#) <Traci.Whelan@usdoj.gov>; Zachary Sifford <zsifford@kcgov.us>
Cc: Rob Weinclaw <rwienclaw@cdatribe-nsn.gov>
Subject: RE: Tribal Jurisdiction issues

Sorry for not responding right away. I have reached out to a few people and am in the middle of doing some research. I

To: 'Whelan, Traci (USAID)' <Traci.Whelan@usdoj.gov>; Zachary Sifford <zsifford@kcgov.us>
Cc: Rob Weinclaw <rwienclaw@cdatribe-nsn.gov>
Subject: RE: Tribal Jurisdiction issues

Sorry for not responding right away. I have reached out to a few people and am in the middle of doing some research. I have heard back from all but one person.

In the meantime, I want to offer a suggestion that might solve this problem. Idaho Code 19-5101 indicates that if tribal officers are both POST certified and cross-deputized by the Sheriff, then they are considered a peace officer under Idaho law. If tribal officers are both, then they can handle all calls for service involving both Indian and non-Indian persons. This way, KCSO doesn't need to respond. Tribal officers can respond, investigate, and, when necessary, make an arrest and file charges in state court. If the Sheriff is going to cross-deputize any tribal officer, I suggest he cross-deputizes all tribal officers. As you can imagine, it will be chaos if this is anything other than an all-or-nothing approach. Deputies on duty will have a hard time trying to determine whether or not to respond to the reservation depending on which tribal officers are on duty or on scene. Likewise, prosecutors will have a hard time handling cases when it is unclear whether or not the involved tribal officers are cross-deputized.

Without having to get too deep into this or go back-and-forth with a lot of hypothetical situations, can you advise me what the Sheriff's position is on cross-deputizing all of the tribal officers?

From: Whelan, Traci (USAID) <Traci.Whelan@usdoj.gov<mailto:Traci.Whelan@usdoj.gov>>

Sent: Monday, October 17, 2022 1:12 PM
To: Zachary Sifford <zsifford@kcgov.us<mailto:zsifford@kcgov.us>>; Stanley Mortensen <smortensen@kcgov.us<mailto:smortensen@kcgov.us>>

Sent: Monday, October 17, 2022 1:12 PM

To: Zachary Sifford <zsifford@kcgov.us<mailto:zsifford@kcgov.us>>; Stanley Mortensen <smortensen@kcgov.us<mailto:smortensen@kcgov.us>>
Cc: Rob Weinclaw <rwienclaw@cdatribe-nsn.gov<mailto:rwienclaw@cdatribe-nsn.gov>>
Subject: RE: Tribal Jurisdiction issues

I was out on Friday and am just seeing this. Have you all met to determine the correct course? If the tribal officers have their SLC then they can investigate violations of federal law. If tribal officers do not have SLC, they have not criminal jurisdiction over non Indians and he can detain if someone with jurisdiction asks him to.

Thanks,

tjw

From: Zachary Sifford <zsifford@kcgov.us<mailto:zsifford@kcgov.us>>

Sent: Friday, October 14, 2022 10:36 AM

To: Whelan, Traci (USAID) <TWhelan@usa.doj.gov<mailto:TWhelan@usa.doj.gov>>; Stanley Mortensen <smortensen@kcgov.us<mailto:smortensen@kcgov.us>>
Cc: Rob Weinclaw <rwienclaw@cdatribe-nsn.gov<mailto:rwienclaw@cdatribe-nsn.gov>>
Subject: [EXTERNAL] Tribal Jurisdiction issues

Good Morning,

We had a call the other night on the reservation that is a great example of the problems we are trying to correct, and need your input....

A call came into dispatch for a welfare check of a vehicle parked in the parking lot of the Casino gas station on the reservation. Casino Security was the reporting party and advised 3 people (Non-Tribal) in the vehicle one of which was holding a "crack pipe".

Tribal PD responded and was on scene for approximately 17 minutes before the County deputy arrived. Ultimately upon KCSO arrival, the Tribal officer had individuals detained and had located meth and it was sitting on the hood of the vehicle. Casino Security was also on scene and the deputy didn't determine the role they may or may not have had prior to his arrival.

TO: Wienclaw, Traci (03/10) <rwienclaw@usa.doj.gov>, Stanley Mortensen
<smortensen@kcgov.us>
Cc: Rob Wienclaw <rwienclaw@cdatribe-nsn.gov>
Subject: [EXTERNAL] Tribal Jurisdiction issues

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STAN- In previous experiences KCPAO had issues with KCSO taking primary in the middle of the call just like this based on chain of custody and articulation of what was found where and who was charged with what. This led to a K9 Deputy not wanting to take primary and left the tribal officer with the call. The tribal officer at the time is not cross deputized with KCSO.

Stan and Traci- If the tribal officer were to respond and determine the suspects were all non-tribal can he then detain and wait for KCSO to respond (17 minute response is probable a record, more of a 30-45 minute response is realistic). Will that be considered an extension of the stop to wait for KCSO to arrive and begin an investigation?

In this specific case the meth was seized by the tribal officer, however the suspect was not charged due to the Officer not being cross deputized.

Per our new "flow chart" and "agreement" this would be a call KCSO would handle primary on. The concerns are the potential detention issues.

We (KCSO) would like to bring these issues up as they arise and talk about them collectively so we can ensure we have the proper procedures in place to handle business. I have CC'd Capt. Wienclaw in this as well so he is in the loop. We