Findings from a Research Study about Tribe–County Cross–Jurisdictional Sharing for Emergency Management

Maureen A. Wimsatt, PhD, MSW, Principal Investigator
Director, California Tribal Epidemiology Center
Epidemiology Manager, California Rural Indian Health Board, Inc.
mwimsatt@crihb.org

Support for this presentation was provided by the Robert Wood Johnson Foundation (72458). The views expressed here do not necessarily reflect the views of the Foundation.
Tribal Epidemiology Centers (TECs)

- Established in 1996 by Congress through reauthorization of the Indian Health Care Improvement Act.
- Funded by IHS Division of Epidemiology and Disease Prevention (core) with supplemental funding through grants.
- Established to assist in collecting and interpreting health information for AIAN.
- Unique because TECs rely on the guidance of Tribal leaders to direct priorities and efforts.
- Legislated public health authorities.
TECs
Activities of All TECs

- Collect and disseminate health data
- Produce regional and Indian Health Program specific health status reports
  - Community Health Profiles
- Support public health emergency response
- Provide technical assistance to Tribes and Indian Health Programs
  - Survey development
  - Health statistic data analysis
California TEC

- Founded in 2005
- Housed within the California Rural Indian Health Board in Sacramento, California
- Staff roles: Program Director, Epidemiologists, Program Evaluators, Research Associate, Outreach Coordinator, and other support staff for projects
- Work guided by Advisory Council
California TEC
Aimed to study and promote cross-jurisdictional sharing (CJS) of emergency management (i.e., preparedness, mitigation, response, and recovery) services between Tribes and counties in California. Provided Tribal and county representatives an opportunity to share views about CJS and make recommendations for successful government-to-government CJS arrangements. Recommendations guided content of a CJS toolkit. In the long term, project could help Tribes and counties establish CJS arrangements so both jurisdictions can access adequate funding before, during, and after emergencies.
Each Tribe is unique in governance, legal processes, culture, tradition, economic and social resources, and relationships with local governments.

Many Tribes are at unique risk for emergencies due to their location in remote and rural areas and/or varied capacity to address natural and non-natural emergencies.

- Far from major hospitals and county resources
- Societal forces limit Tribes’ access to emergency management resources
Tribe–County CJS Context (Cont.)

- CJS is one collaborative mechanism for sharing resources to address emergency management and population health.
  - Important in fiscally limited areas of the country and because emergencies do not have boundaries
  - Can support CJS–related accreditation benchmarks
- Despite the potential benefits of sharing services for emergency management between Tribes and counties, only a Tribe as a sovereign governing body can choose to enter into a CJS relationship with a county.
- Due to uniqueness of each Tribe, CJS arrangements between Tribes and counties are expected to vary.
Research Questions

- What emergencies are relevant to Tribes in California?
- What is the prevalence and scope of Tribe–county CJS arrangements in California?
  - How many and what types of CJS arrangements?
- Do Tribes and counties agree about having no or any CJS arrangements?
- What are views of the Tribe–county CJS relationship?
- What are historical and cultural barriers to CJS?
- What do Tribes and counties recommend for establishing CJS relationships?
Study Procedure

- Tribal and county leaders approached and asked to select representative to participate in project.
- Initial Institutional Review Board (IRB)-approved survey administered to Tribal and county representatives.
  - Adapted from Center for Sharing Public Health Services “Existing CJS Arrangement” survey (CSPHS, 2014)
  - Items about jurisdictional information, relevant emergencies, current CJS arrangements, and recommendations for CJS relationships
  - Honored Tribal requests for verbal and face-to-face interviews
- Follow-up IRB-approved survey administered to subset of original sample.
  - Items about views of the CJS relationship and historical and cultural barriers to CJS
  - Completed over the telephone
Response and Participation Rates

- Tribe response rate = 87%
  - Formal participation from 83 of 111 Tribes (75%)
  - Response indicating reason for declining participation from 14 of 111 Tribes (12%)
- Corresponding county response rate = 100%
  - Formal participation from all 29 counties associated with the 83 Tribes who participated
- Follow-up response rate = 100%
  - Formal participation from all 24 Tribes and 13 corresponding counties selected for follow-up survey
Initial Survey Participating Areas

Legend
- Areas with Tribe and County Participation
Roles of Participants

Tribe (n=83)
- Elected Leader or Tribal Staff: 36
- Emergency Manager/Staff: 31
- Environmental Manager/Staff: 14
- Tribal Health Clinic Staff: 2

County (n=29)
- Office of Emergency Services Staff: 25
- Health Department Staff: 3
- Administrator: 1
Jurisdictional Information

- **Population size**
  - Tribes: 0 to 84,000 people ($M = 1,651$)
  - Counties: 9,500 to 3.2 million people ($M = 468,191$)

- **Geographic size**
  - Tribes: 0 to 547 square miles ($M = 16.77$)
  - Counties: 612 to 22,000 square miles ($M = 3,794$)

- **Total Number of Tribes in County** *(CA Gov. Office of the Tribal Advisor, 2015)*
  - 1 to 18 ($M = 7$ Tribes)
All together, Tribal representatives named 58 different types of natural and non-natural emergencies relevant to Tribes in California.

<table>
<thead>
<tr>
<th>Natural Emergencies</th>
<th>Non-Natural Emergencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Fires (wild fires, house fires)</td>
<td>• Violence (physical, gun, and/or intimate partner violence)</td>
</tr>
<tr>
<td>• Flooding and dam breaks</td>
<td>• Bomb threats</td>
</tr>
<tr>
<td>• Earthquakes</td>
<td>• Terrorism and bioterrorism</td>
</tr>
<tr>
<td>• Tsunamis</td>
<td>• Behavioral health issues (substance use, mental illness, suicide)</td>
</tr>
<tr>
<td>• Landslides</td>
<td>• Medical emergencies in a rural environment (drownings, car accidents, unintentional injuries, snake bites)</td>
</tr>
<tr>
<td>• Mudslides</td>
<td>• Bacterial infections</td>
</tr>
<tr>
<td>• Tornadoes</td>
<td>• Viral infections (H1N1, Zika)</td>
</tr>
<tr>
<td>• Volcanic eruptions</td>
<td>• Epidemics and pandemics</td>
</tr>
<tr>
<td>• Drought</td>
<td>• Environmental hazards including chemical spills</td>
</tr>
<tr>
<td>• Inclement weather (wind, snow, thunderstorms, lightning)</td>
<td>• Evacuating and relocating displaced residents</td>
</tr>
<tr>
<td>• Weather phenomena (El Niño)</td>
<td>• Search and rescue operations</td>
</tr>
<tr>
<td>• Heat and cold stress</td>
<td>• Local and widespread electrical or power outages</td>
</tr>
<tr>
<td>• Algae bloom</td>
<td>• Single access road closures</td>
</tr>
<tr>
<td>• Tree mortality</td>
<td>• Shortage of medical supplies and/or medication</td>
</tr>
<tr>
<td>• Low water levels</td>
<td>• Economic jeopardy</td>
</tr>
<tr>
<td>• Poor air quality</td>
<td>• Cyber crises (data breaches)</td>
</tr>
<tr>
<td></td>
<td>• Lacking or reduced water rights</td>
</tr>
</tbody>
</table>

**Harm to Cultural and/or Natural Resources**
Prevalence and Scope of CJS

- Coded Tribe and county questionnaire responses, and supported with open-ended responses; 4 researcher agreement.
- 5 Categories for CJS from Center for Sharing Public Health Services ($I = \text{yes}, \ 0 = \text{no}$)
  - Formal arrangements
  - Informal or customary arrangements ("handshake arrangement," verbal arrangements)
  - Service-related arrangements (as-needed contracts or consultations before, during, or after emergency)
  - Shared functions with joint oversight arrangements
  - Regionalization arrangements (Tribe and county become one department to serve both jurisdictions)
37 Tribes (45%) and 5 counties (17%) reported no CJS arrangements.

Among the 46 Tribes and 22 counties with any CJS arrangements (see Graph), Tribes ranged between having 1–3 arrangements, and counties ranged between having 1–4 arrangements.
Associations Between Measures

- Statistical analyses tested relations between jurisdictional and CJS measures for Tribes and counties.

<table>
<thead>
<tr>
<th>Jurisdictional Measures</th>
<th>CJS Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Population size</td>
<td>• Sum of CJS arrangements (0–5)</td>
</tr>
<tr>
<td>• Geographic size</td>
<td>• Each type of CJS arrangement (formal, informal or customary, service-related, shared functions with joint oversight, and regionalization)</td>
</tr>
<tr>
<td>• Total number of Tribes in county</td>
<td></td>
</tr>
<tr>
<td>• Proportions: Total number of Tribes in county to county</td>
<td></td>
</tr>
<tr>
<td>population and geographic size</td>
<td></td>
</tr>
</tbody>
</table>

- 4 significant findings for Tribes:

  - Larger Tribal population size was associated with reporting formal arrangements and with reporting shared functions with joint oversight arrangements.
  - Larger Tribal geographic size was associated with reporting shared functions with joint oversight arrangements.
  - Tribes with a higher number of arrangements were in counties with fewer Tribes to overall county population size.
Statistical analyses tested relations between jurisdictional and CJS measures for Tribes and counties.

1 significant finding for counties:
- Having a higher total number of Tribes in county was associated with reporting informal or customary arrangements.
Determined whether Tribes and counties agreed about having no (0) or any (1–5) CJS arrangements (1 = agree, 0 = disagree).

- 55% Tribe–county pairs (46 of 83) agreed about having no or any CJS arrangements.
  - 13% agreed about having no CJS arrangements
  - 42% agreed about having any CJS arrangements

- 45% of Tribe–county pairs (37 of 83) disagreed about having no or any CJS arrangements.
  - 13% Tribe reported CJS but county did not
  - 32% county reported CJS but Tribe did not
Agreement and Disagreement Across 83 Tribe–County Pairs

- 13% Agree: Tribe and County Reported Any CJS
- 42% Agree: Tribe and County Report No CJS
- 32% Disagree: County Reported CJS, Tribe Did Not
- 13% Disagree: Tribe Reported CJS, County Did Not
Associations Between Measures

- Statistical analyses tested relations between Tribe–county CJS agreement and CJS measures.

<table>
<thead>
<tr>
<th>Tribe–County CJS Agreement Measure</th>
<th>CJS Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Tribe–county dyad in agreement about having no or any CJS arrangements</td>
<td>• Sum of CJS arrangements (0–5)</td>
</tr>
<tr>
<td></td>
<td>• Each type of CJS arrangement (formal, informal, service–related, shared functions with joint oversight, and regionalization)</td>
</tr>
</tbody>
</table>

- Tribe–county CJS agreement was significantly associated with *Tribe*–reported: (1) sum of CJS arrangements, (2) formal CJS arrangements, (3) informal or customary arrangements, and (4) shared functions with joint oversight arrangements.

- There were *no* significant relations between Tribe–county CJS agreement and county–reported CJS measures.
Views and Barriers of Tribe–County CJS Relationship

- 24 Tribal and 13 corresponding county representatives provided follow-up information about views of the Tribe-county CJS relationship and barriers to CJS.
- Qualitative analyses were used to identify themes across responses.
### Views of CJS Relationship

<table>
<thead>
<tr>
<th>Neutral</th>
<th>Negative</th>
<th>Positive</th>
<th>Non-existent</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 8 Tribes, 11 counties</td>
<td>• 7 Tribes, 0 counties</td>
<td>• 6 Tribes, 7 counties</td>
<td>• 3 Tribes, 6 counties</td>
</tr>
<tr>
<td>• There is an agreement for emergency services on Tribal lands [called the] Economic Development Enterprise, a.k.a. Gaming Compact, but if there is a level of conversation at the county level about emergency services, the Tribe is not at the table or made aware of the meetings. Tribal Council hasn’t made it a priority to ask the county about these meetings. [Tribe]</td>
<td>• The Tribe feels the county is trying to meet a requirement. If there were a natural disaster, the Tribe would feel uncomfortable and would be skeptical about whether or not state or county services would be provided to the Tribe. [Tribe]</td>
<td>• The overall relationship with the Tribe is great and open. There is a current Memorandum of Understanding in place with the Tribe and [nearby] hospitals. [County]</td>
<td>• There is no ongoing relationship between the Tribe and county. [Tribe]</td>
</tr>
</tbody>
</table>
Because only Tribes reported having a negative view of the CJS relationship, Tribal and county views were sometimes disparate

- The relationship is non-existent. The county as a whole hasn’t really heard from the Tribe since the flood [omitted] when the Tribe lost property. [County]
- The Tribe had experienced high waters and nobody from the county came to check on our well-being or alert Tribal members. [Tribe]
Barriers to CJS

- Cultural and historical barriers
- Legal/jurisdictional restrictions
- Distrust
- Limited knowledge of Tribal systems
- Multiple
- No/unknown

Other
Legal/jurisdictional (4 tribes, 2 counties)

The relationship that California and its Tribes have in emergency management with Public Law 280 status is a barrier. Tribes wish to interact, but city and county groups do not based on Public Law 280, [and] Tribes are left out of emergency management planning. Public Law 280 affects Tribal law enforcement greatly on the California side as Tribes have no authority on Tribal land and have to work jointly with the county even while on Tribal lands. [Tribe]
Barriers to CJS

- **Distrust** (0 tribes, 5 counties)
  - *The major historical barrier with the Tribe is the major distrust of white people due to the massacres [which took place from 1851 to 1856]. The massacres have never been forgotten or forgiven.* [County]
Limited knowledge of Tribal systems (3 tribes, 2 counties)

- During the fall fires, work was being done before the acknowledgement that cultural resources were destroyed and damaged by the fires and cleanup. There was no communication or funding for cultural monitors. The county also did not understand the importance of watershed monitoring. [Tribe]
Multiple (8 tribes, 1 county)

There is a deep-rooted ongoing distrust on behalf of the Tribe. The county is trying to establish a Mutual Aid Arrangement (MAA) with the Tribe. The Tribe is concerned with how the MAA will impact other arrangements in place and the Tribe’s sovereignty. The Tribe won’t discuss changing the language or other options for the MAA. Instead of working with the county, the Tribe tends to shut down. I have observed an overly strong knee-jerk guarding reaction from the Tribe, but I believe the reaction is warranted due to past historical treatment. [County, distrust and limited knowledge of Tribal systems]
Other (3 tribes, 3 counties)

- The concerns come down to funding. Bigger Tribes like [omitted] have a Memorandum of Understanding with the county as well as the Tribal infrastructure, including Tribal fire departments, but the Tribes still pay the county for services. Since the smaller Tribes either don’t have casinos or don’t have successful ones, the county seems to be less interested because the Memorandum of Understanding will not provide funding for the county. The county has a mentality that Tribes should pay a fair share [...]. [Tribe]

-
Tribal and county representatives provided general recommendations about Tribe–county CJS for emergency management.

Many recommendations centered around building trust, ongoing Tribe–county communications, involvement of Tribal Council in emergency management efforts, and working to meet Federal Emergency Management Agency (FEMA) standards.

Examples: 9 Illustrative Recommendations
Building relationships between Tribal and county governments is a slow process and it takes great dedication on the part of both sides. Mutual trust must be built on both sides. Sometimes written agreements work, but the dedication of personal relationships can work better than contracts or agreements. [Tribe]

Establish a county contact— one person who works in the county who can be a resource for communication. Tribes should extend their hand first. Understand your Tribe’s needs and what will be required from a [CJS] Memorandum of Understanding, including what you provide, receive, and share [with the county]. [Tribe]

Be persistent in spite of staff turnover on both sides. [Tribe]
Recommendations for Tribe–County CJS

- Remember that many Tribes customize their Emergency Operations Plans and other documents. Use templates if they are available, but be sure they say what is culturally relevant to your Tribe and community. [Tribe]

- Add a section to your [CJS] plan about cultural preservation and how to handle preserving cultural or natural resources. [Tribe]

- Get 100% support of Tribal Council and the general membership. [Tribe]
Recommendations for Tribe–County CJS

- Have a Hazard Mitigation Plan in place and approved by FEMA. Make sure to become NIMS complaint, which means your plan operates within the same procedures as FEMA and everyone else who is complaint—These standards are very important to operate under. Practice your Hazard Mitigation or Emergency Operations Plan and develop scenarios and drills. [Tribe]
**Recommendations for Tribe–County CJS**

- Take the time to meet and spend time with members of Tribal councils. Learn each Tribe’s history and culture. Never hesitate to extend an invitation to participate in anything. Be open-minded to change. [County]

- Non–Tribal entities need extensive training in the rights of Tribal nations and the differences that Tribes have to abide by to access federal recovery funds. [County]
This study provides a preliminary understanding about Tribe–county CJS for emergency management.

- Nearly 20% of federally recognized Tribes are located in California.

It is important to involve Tribal leaders or designated Tribal emergency or environmental staff in developing and sustaining Tribe–county CJS arrangements.

- Designated Tribal representatives in this study were often elected officials or emergency staff, not health clinic staff.
There are many types of emergencies that are relevant to Tribes in California, including non-natural emergencies that may not be as relevant to non-Tribal or urban communities.

- Example: Single access road closures.
Summary and Discussion (Cont.)

- Less integrated informal or customary CJS arrangements may work better for some Tribes than formal arrangements.
  - Formal arrangements were most frequently reported by larger Tribes. Smaller Tribes and Tribes with limited capacity for emergency management may benefit from informal arrangements.

- It is important to engage in cross-jurisdictional communication and collaboration.
  - Tribe-county CJS agreement was only significantly associated with Tribes’ report of CJS arrangements.
  - Tribes and counties had different views of CJS relationship.
  - Barriers include distrust and limited county knowledge of Tribal systems.
Although Tribes and counties were at different stages of CJS, many had recommendations for developing CJS relationships.

Future directions involve public health intervention and research.

- **Intervention:** Implement programs that build Tribal capacity in emergency management and promote ongoing relationship–building between Tribes and counties as a precursor to formal arrangements.
- **Research:** Use Tribally responsive protocols to study Tribe–county CJS on a national level.
Additional Meetings and Products

- Advisory group
- National webinar: https://youtu.be/bGxFhB1aH48
- National conferences (American Public Health Association, AcademyHealth Research Meeting)
- Regional roundtables in Northern, Central, and Southern California
- Reports and manuscripts
Core Members: Dore Bietz, Tuolumne Band of Me-Wuk Indians; Brenda Bowie, Bear River Band of the Rohnerville Rancheria; Don Butz, Viejas Band of Kumeyaay Indians; Tim Campbell, Federated Indians of Graton Rancheria; Dr. Theresa Gregor, Inter Tribal Long Term Recovery Foundation; Marc Peren, San Bernardino County Office of Emergency Services; Cruz Ponce, Inter Tribal Long Term Recovery Foundation
Regional Roundtable Meetings
CJS Toolkit

- Developed with content requested by Tribal and county representatives and input from Advisory Group.

Sample Memorandum of Understanding Template

A Memorandum of Understanding (MOU) is a formal arrangement between two or more parties. MOUs are often used to establish partnerships and define the roles and responsibilities of each party in the partnership. MOUs can be legally binding or non-binding, which must be indicated in the document.

Below is an MOU template that tribes and counties could use as the basis of their arrangement. Additional sections may be added to the MOU if applicable.

Memorandum of Understanding between [Tribe] and [County]

1. Background
   [Explain the partnership of the tribe and county.]

2. Purpose
   [Write the specific purpose of the MOU, e.g., emergency preparedness, mitigation, response, and/or recovery.]

3. Goals and Objectives
   [Describe the goals and objectives that the tribe and county want to achieve through this MOU. It is advisable to include protection of natural and cultural resources as part of the partnership.]

3-Day Emergency Supplies Checklist

**Essentials**
- Water (1 gallon per person per day)
- Water purification kit
- First aid kit, fully stocked
- First aid book
- Food
- Can opener (non-electric)
- Blanks or sleeping bags
- Portable radio, flashlight, and spare batteries

**Cooking**
- Plastic knives, forks, spoons
- Paper place mats
- Paper towels
- Heavy-duty aluminum foil
- Camping stove for outdoor cooking

**Tools and Supplies**
- Axe, shovel, broom
- Adjustable wrench for turning off gas
- Tool kit including: screwdriver, pliers, and hammer
- Colt 12 gauge shotguns
- Possum tape, staple gun, and sheathing for window replacement
- Bicycle
- City map

**Participant Roles and Responsibilities**

<table>
<thead>
<tr>
<th>Type of Participant</th>
<th>Roles and Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Players</td>
<td>Staff, community members, and cross-jurisdictional partners who play an active role in designing or performing the regular roles and responsibilities during the exercise. Players discuss or initiate actions in response to the simulated emergency.</td>
</tr>
<tr>
<td>Facilitators</td>
<td>Staff community members and cross-jurisdictional partners who facilitate and provide feedback on a designated functional area of the exercise. Facilitators observe and document performance against established criteria and identify areas for improvement.</td>
</tr>
<tr>
<td>Exercisers</td>
<td>Staff community members and cross-jurisdictional partners who observe the unit or group selected segments of the exercise. Exercisers observe performance against established criteria and identify areas for improvement.</td>
</tr>
<tr>
<td>Observers</td>
<td>Staff, community members, and cross-jurisdictional partners who observe the unit or group selected segments of the exercise. Observers do not play in the exercise/simulation, but do they perform any control functions that are necessary. Observers observe performance against established criteria and identify areas for improvement.</td>
</tr>
</tbody>
</table>

January 31, 2017

[Logo: National Indian Health Board]
CJS Toolkit

Sample of toolkit content:

- Emergencies relevant to tribes in California
- Introduction to individual preparedness
- Overview of cultural resources
- Case studies from tribes and counties in California
- Introduction to laws and policies that guide emergency management work
- Sample templates for CJS arrangements
- Sample administrative functions checklist
- Additional websites
Thank you!

Questions?
Contact Information

Maureen A. Wimsatt, PhD, MSW
Director, California Tribal Epidemiology Center
Epidemiology Manager, California Rural Indian Health Board, Inc.
Email: mwimsatt@crihb.org
Phone: 916–929–9761