

Cross-Jurisdictional Collaboration for Emergency Planning

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Introduction & Overview

- Cross-Jurisdictional Sharing (CJS) research project
- Robert Wood Johnson Foundation
- Study and Promote CJS between tribes and counties
- Tribal and County perspective of CJS
 - Why did the Tribe have or not have a CJS arrangement with County?
 - Why did the County have or not have a CJS arrangement with Tribe?
 - Sometimes these perceptions did not align – problematic
- Long term: Assist Tribe-County CJS relationship
 - CTEC hosted 3 regional roundtable meetings (Northern/Central/Southern)

Emergency Management

- Preparedness
- Mitigation
- Response
- Recovery

Tribal Context

- Tribes are unique in governance, legal processes, cultures, traditions, relationships with local-county-state governments, etc.
- Tribes often at unique risks for emergencies due to locations in remote/rural areas
 - Varied capacity to address emergencies

Emergencies Relevant to Tribes in California

Harm to Cultural and/or Natural Resources	Natural Emergencies
	<ul style="list-style-type: none">• Fires (wild fires, house fires)• Flooding and dam breaks• Earthquakes• Tsunamis• Landslides• Mudslides• Tornadoes• Volcanic eruptions• Drought• Inclement weather (wind, snow, thunderstorms, lightning)• Weather phenomena (El Niño)• Heat and cold stress• Algae bloom• Tree mortality• Low water levels• Poor air quality
	Non-Natural Emergencies
	<ul style="list-style-type: none">• Violence (physical, gun, and/or intimate partner violence)• Bomb threats• Terrorism and bioterrorism• Behavioral health issues (substance use, mental illness, suicide)• Medical emergencies in a rural environment (drownings, car accidents, unintentional injuries, snake bites)• Bacterial infections• Viral infections (H1N1, Zika)• Epidemics and pandemics• Environmental hazards, including chemical spills• Evacuating/relocating displaced residents• Search and rescue operations• Local and widespread electrical or power outages• Single access road closures• Shortage of medical supplies and/or medication• Economic jeopardy• Cyber crises (data breaches)• Lacking or reduced water rights

Cross-Jurisdictional Sharing

- Is the deliberate exercise of **public authority** to enable **collaboration** across **jurisdictional boundaries** to deliver essential **public health services**

Cross-Jurisdictional Sharing, Contd.

- Is a spectrum
- “Emergencies know no boundaries “
- Is a deliberate exercise of sovereignty
 - Only a Tribe as a sovereign entity can choose to enter into a CJS relationship with a County
 - Tribal-County CJS arrangements vary

Spectrum of Cross-Jurisdictional Sharing Arrangements

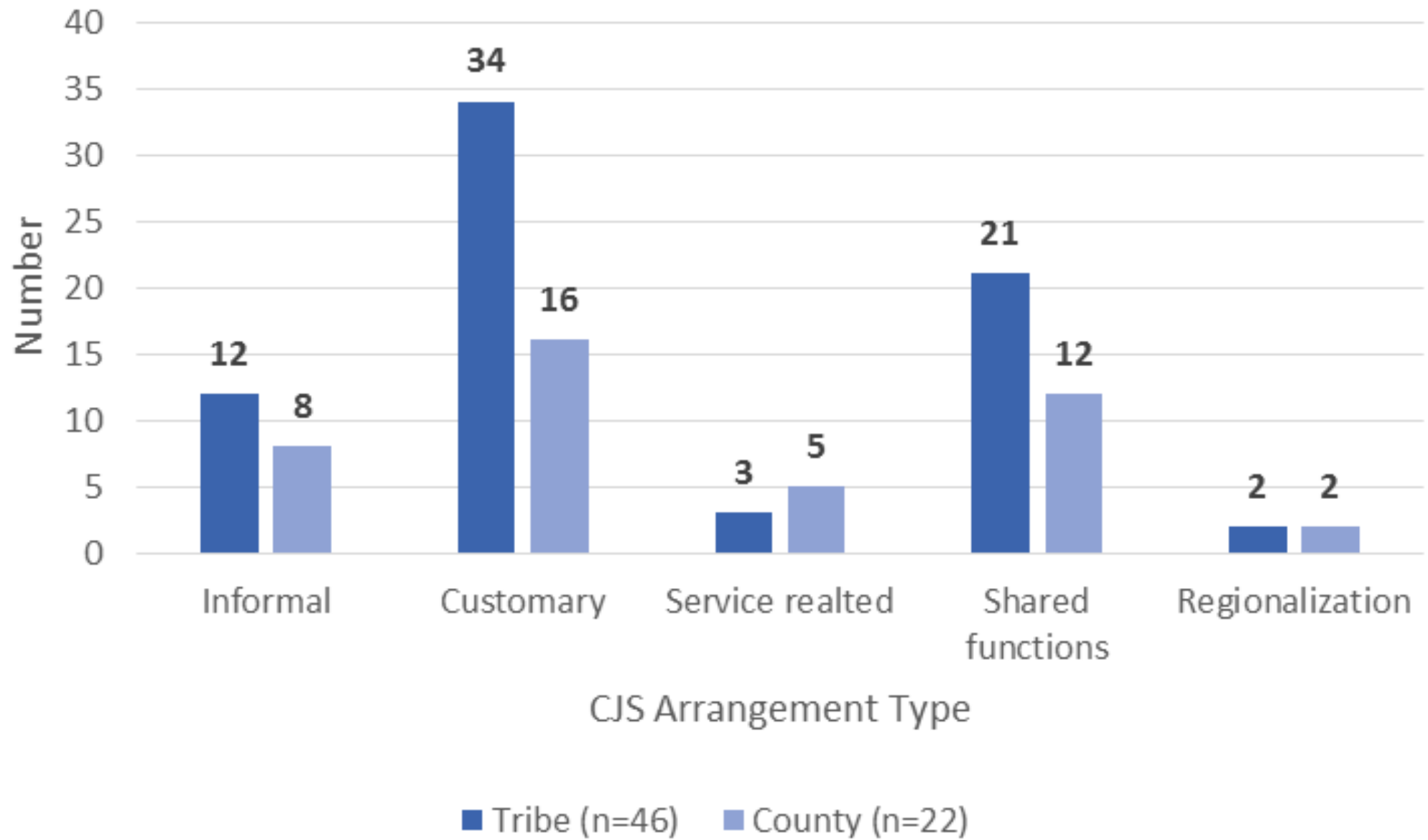
Informal/Customary	Service-Related	Shared Functions with Joint Oversight	Regionalization
<p>"Handshake" agreement</p> <p>Verbal Agreement</p>	<p>As needed contracts</p> <p>Consultations before, during, or after emergency</p> <p>Mutual Aid Agreements</p>	<p>Joint projects addressing both jurisdictions</p> <p>Shared capacity</p>	<p>Creation of a new entity that serves both jurisdictions</p> <p>Consolidation of one or more existing entities to create a new entity</p>



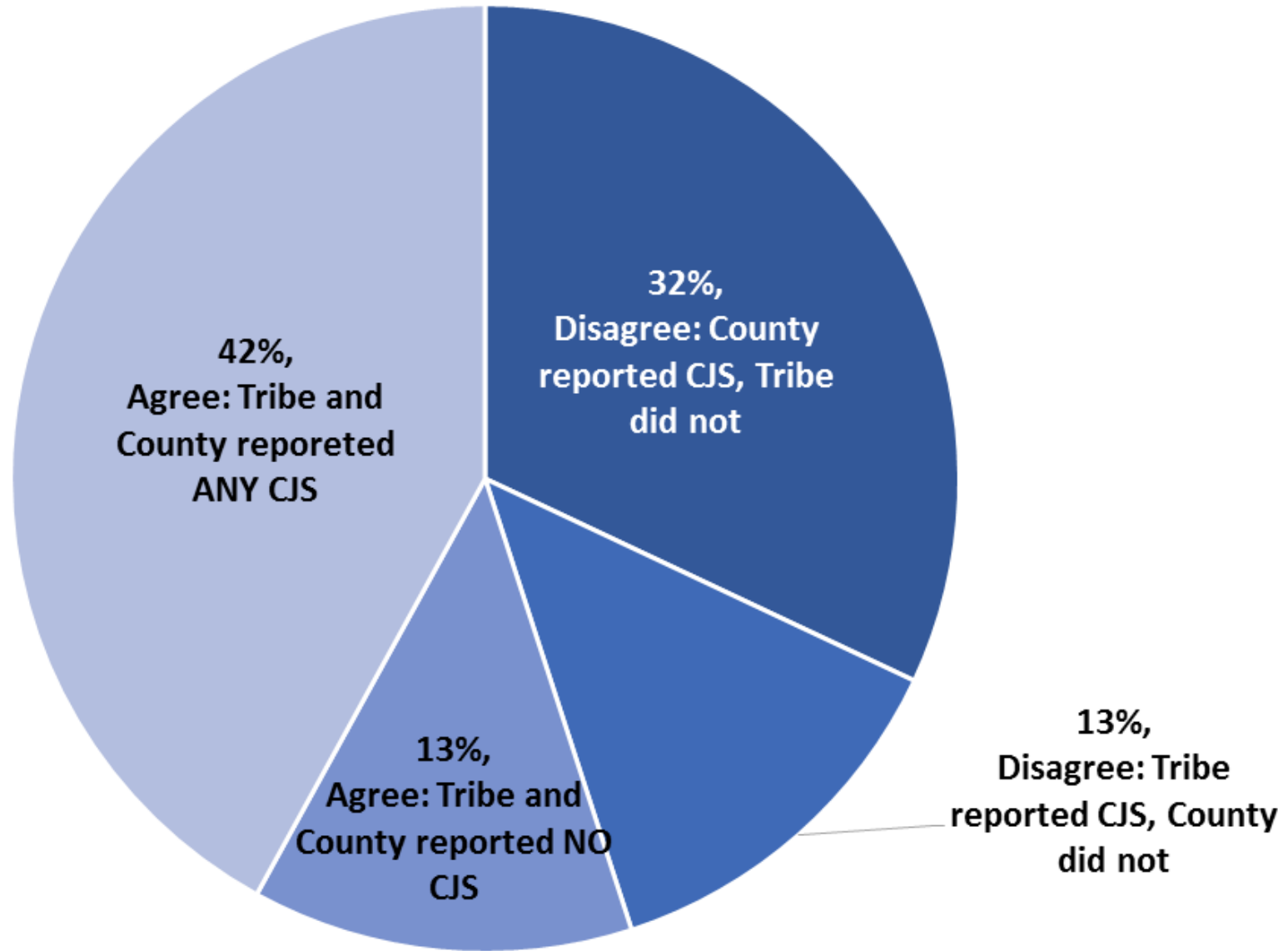
What does the CJS for Emergency Management between Tribes and Counties in California look like?

CJS Project Findings

- 35% of Tribes (n=37) reported no CJS arrangements with their respective Counties
- 17% of Counties (n=5) reported no CJS arrangements with their respective Tribes



Tribe-County Perceptions of CJS Arrangement



Why?

- Turn over
- Lapsing of agreement(s)
- Assumptions
- Beliefs

Neutral

- 8 Tribes, 11 counties
- *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]*

Negative

- 7 Tribes, 0 counties
- *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]*

Positive

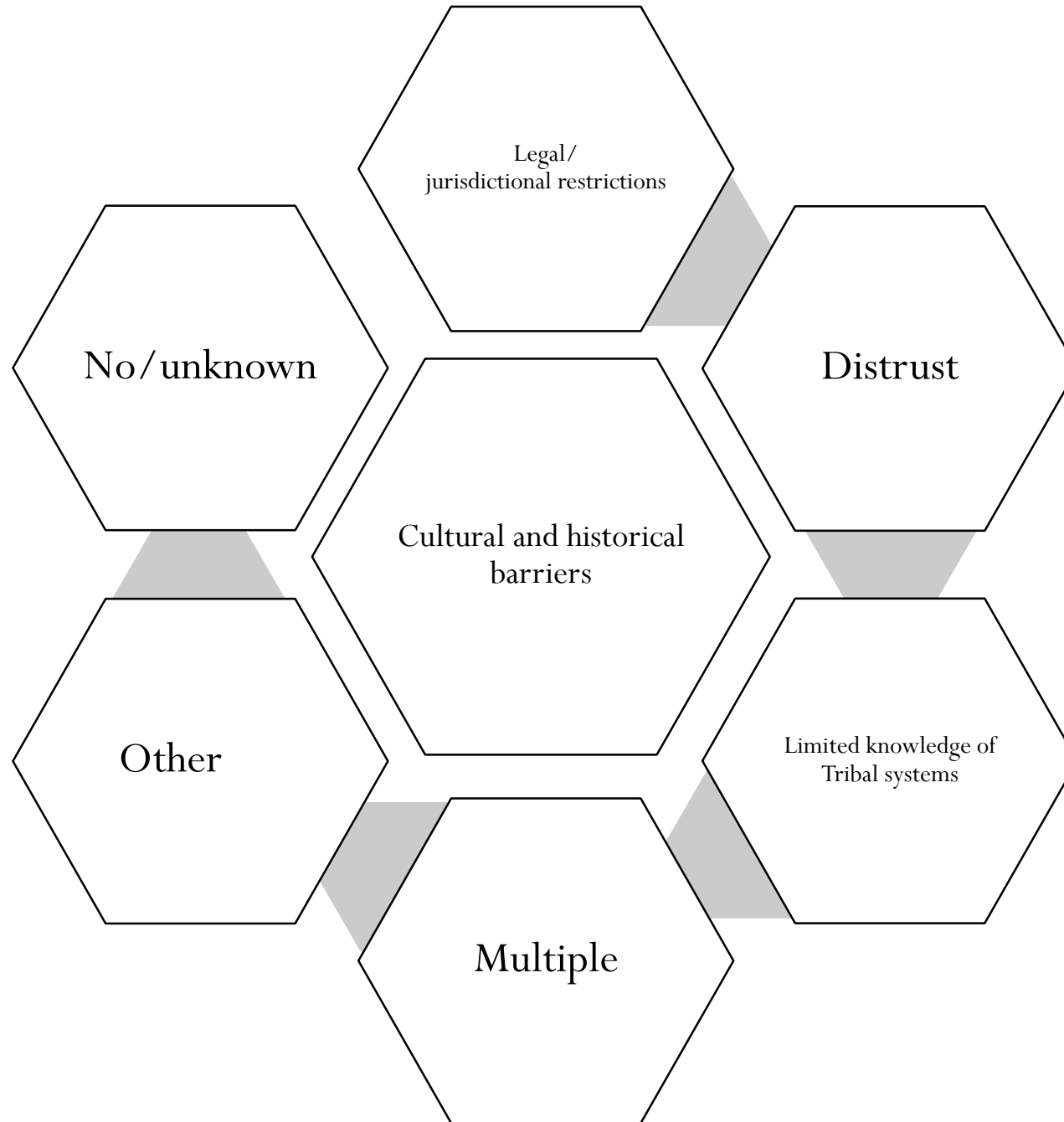
- 6 Tribes, 7 counties
- *The overall relationship with the Tribe is great and open. There is a current Memorandum of Understanding in place with the Tribe and [nearby] hospitals. [County]*

Non-existent

- 3 Tribes, 6 counties
- *There is no ongoing relationship between the Tribe and county. [Tribe]*

View of CJS relationship

- Only Tribes provided “negative” views of the CJS relationship
 - Tribal-County views were 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

- **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 are often 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, Contd.

- **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]*

Barriers to CJS, Contd.

- **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]*

Barriers to CJS, Contd.

- **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]*

Barriers to CJS, Contd.

- **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]*

Conclusions & Lessons Learned

- It is important to involve Tribal leaders or designated Tribal emergency or environmental staff in developing and sustaining Tribe-county CJS arrangements.
- 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 differing capacity for emergency management may benefit from informal or customary arrangements.
- It is important to understand that Tribes and Counties have different views of CJS arrangements
 - CJS communication is important

Conclusions & Lessons Learned

- Consider emergencies within a societal/public health context
- Reach out to government and other health-oriented representatives
 - National Policy Matrix: Health-only officials provided limited knowledge of Tribe-County CJS

Additional Information

- Advisory Group
- Research-in-progress webinar: <https://youtu.be/bGxFhB1aH48>
- National conference presentations
- National Policy Matrix: <https://crihb.org/wp-content/uploads/2015/04/CJSNationalPolicyMatrix.pdf>
- Health Policy Brief: http://www.publichealthsystems.org/sites/default/files/PHS4/72458GPreport_06.pdf
- CJS Toolkit: https://crihb.org/wp-content/uploads/2017/02/CJSToolkit_Final.pdf
- Regional roundtables in Northern, Central, and Southern California
- Reports and manuscript

Questions?