Tribal Police Pilot Program Implementation (AB 134)

Overview of the Tribal Police Pilot Program

California Assembly Bill 134 (AB 134) (codified at Penal Code section 11073) establishes the "Tribal Police Pilot Program" to operate from July 1, 2026, until July 1, 2029 under the direction of the Department of Justice (DOJ) and the Commission on Peace Officer Standards and Training (POST). The pilot program grants peace officer authority to certain tribal police officers on Indian lands and elsewhere in the state under specified circumstances during the three-year period. Participation in the program aims to expand tribal law enforcement powers, strengthen cooperative relationships with other state criminal justice agencies, and result in greater public safety for both the Indian and non-Indian communities. The law requires DOJ to:

- Select up to three (3) federally recognized Tribes to participate in the pilot program;
- Prepare and submit reports to the Legislature, the Assembly Select Committee on Native American Affairs, and the Assembly and Senate Public Safety Committees addressing the impacts of the pilot program on crime rates on Indian lands and surrounding communities including recommendations to the Legislature in each report.

Assembly Bill 134 requires that selected Tribes will have to meet certain requirements to be considered for and participate in the program, including a limited waiver of sovereign immunity for police activities, and the adoption of a tribal law or resolution authorizing that exercise of authority and providing for public access to certain records. (Penal Code Sections 11073(d)(1), (d)(2), and (d)(4)(a).) In selecting the tribes, the statute requires DOJ to consider selecting tribes of different sizes from different parts of the state, as well as a tribe's access to public safety resources. (Pen Code Section 11073(o)(3).)

Justice Needs of Tribes within the State of California

California is home to more Native American and Alaska Native people than any other state in the country. There are approximately 109 federally recognized Tribes in California. Federally recognized Tribes have a unique government-to-government relationship with local, state, and federal entities, and are recognized as sovereign nations. Tribes can create their own laws, governmental structure, and enrollment or membership rules for the land and citizens of their nation.

California has the fifth largest caseload of missing and murdered Indigenous women and people. Nationwide, more than four in five Native American and Alaska Native women have experienced violence in their lifetime, and more than one in three have in the last year. One in 130 Native American children are likely to go missing each year. Indigenous women go missing and are murdered at rates higher than any other ethnic group in the United States. Nearly one-half of all indigenous women have been raped, beaten, or stalked by an intimate partner. LGBTQ+ Native Americans and people who identify as "two-spirit" people within tribal communities are also often the targets of violence.

Approximately 27 tribal governments in the state have exercised their inherent authority by establishing law enforcement agencies to maintain public safety on Indian lands. Additionally, Tribes have exercised their inherent authority by establishing 22 tribal courts statewide, serving approximately 40 Tribes.

Participating Tribal Police in the Pilot Program to be Designated as California Peace Officers

Tribal law enforcement officers are not designated peace officers under state law. Although here are avenues for tribal officers to enforce state law on Indian lands, these options can be cumbersome, limited and inconsistently available. Under the pilot program, qualified members of the three participating tribes will be deemed "peace officers."

Tribal police officers designated as California peace officers will be subject to the same requirements and responsibilities as other local and state agencies, including transparency and the right of the public to seek redress for grievances, while also recognizing that tribal governments are sovereign nations that govern themselves in accordance with their own laws and are not subject to liability in the same manner as state and local governmental entities.

Requirements for Participating Tribes and Tribal Officers

All participating tribal police officers shall complete and maintain all applicable requirements for the appointment, training, education, hiring, eligibility, and certification required for peace officers under state law, including, without limitation, those prescribed by the POST.

The participating tribal police departments including their officers, employees, and other agents shall cooperate with any inspections, audits, and investigations by the DOJ or the POST in connection with the qualified entity's participation in this pilot program, including any sanction or discipline imposed by the department or commission, up to and including removal of the qualified entity from the pilot program described in this section.

Participating Tribes must have a public complaint process that allows people to make a complaint against tribal peace officers, and which includes tribal review and recording keeping processes.

Participating Tribes and their police departments will submit any data, statistics, reports, or other information requested by the DOJ for the monitoring and evaluation of the pilot program to the department in a manner and form prescribed by the department.

For more details about the requirements for Tribes participating in the program please see the text of AB 134 here: Bill Text - AB-134 Public Safety.

Domestic Violence Death Review Team (Optional)

Existing law authorizes a county to establish an interagency domestic violence death review team to assist local agencies in identifying and reviewing domestic violence deaths, including homicides and suicides, and facilitating communication among various agencies involved in domestic violence cases. A Tribe participating in this pilot program is eligible, but not required, to establish a domestic violence death review team and enter into an agreement to share liability and collaborate on Missing and Murdered Indigenous Persons cases.

Tribal Selection Process

The DOJ will be requesting proposals from Tribes interested in participating in the pilot program. Responses to the RFP are due Friday, January 9, 2026. Please email the Tribal Police Pilot Program

working group at TribalPoliceWorkGroup@doj.ca.gov, if you have any further questions or comments regarding the RFP and the Tribal Police Pilot Program.