

West Bank Homeowners Association

Meeting Notes

MEETING DATE: April 24, 2019

LOCATION:

Riverside County Sheriff's Department
4095 Lemon St. 2nd Floor
Riverside, CA

PREPARED BY: Roger French

MEETING NO. : 1

ATTENDEES:

Sheriff Chad Bianco
Asst Sheriff Raul Vergara
Asst Sheriff Robert Gunzel
Asst Sheriff Joseph Pemberton
Roger French, President, West Bank
Robert Dean Gordon
Luan French

General Discussion

A meeting was arranged by Dean Gordon to bring the new Riverside County Sheriff and the West Bank Homeowners Association together to brief the sheriff on the history of the problems associated with the disputed area. Roger French opened the discussion with introductions, and a hope that the result of the meeting would be the start of a discussion with the Sheriff on ways to improve relations with disputed area residents. French then proceeded to present the history of the difficulties resulting from the Colorado River Indian Tribes self-help evictions, and in particular, the sheriff department's roles in those activities. A binder of related documents was presented to Sheriff Bianco.

The presentation started with the origination of the CRIT reservation boundary dispute, proceeded to the Arizona vs. California decisions, the history of the West Bank Homeowners Association, and the series of CRIT's self-help evictions of resorts and individuals starting in 2000 up through 2013 when CRIT confiscated Dean Gordon's mobile home. The presentation included the West Bank lawsuit against the Riverside County Sheriff in 2011, and the nature of the legal arguments on PL280, the federal statute that requires all state criminal laws to be effective on Indian reservations.

Sheriff Bianco expressed that in his experience, Indian tribes have lawfully confiscated personal property on tribal land in eviction actions. French responded that in our case, the land is disputed, and therefore is not held in trust for the Tribes. Furthermore, with trust status removed, PL280 requires due process for any attempted eviction, and self help is against California criminal law. The Sheriff responded that a disputed area is still trust land, and that California's amicus brief asserting that the land is not on the reservation is meaningless. French expressed disagreement with the Sheriff's conclusion that a disputed area can also be trust land. The Sheriff responded that Indian self-help evictions are a civil matter; however he had no knowledge of the situation on the disputed area and needed time to review in order to draw any conclusions.

French explained that the circumstances today are different than when the County last reviewed the law in 2011. This is so because the federal court has since affirmed California's position that the boundary dispute has never been resolved and that the disputed area has never been established as within the reservation. The Sheriff explained that sheriff's policy is established by

the County, not by the sheriff department. The Sheriff promised to read the documents presented at the meeting and request Riverside County Counsel's review of the current policy with the new information presented to see if a change in policy is warranted. The Sheriff indicated that he believed he could receive a response from County Counsel within 60 days.

Conclusion

The parties exchanged contact information with the assumption that further discussions would be contingent upon input and direction from Riverside County Counsel.