

West Bank Homeowners Association

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PRESS RELEASE – Riverside County Sheriff Ignores Due Process Rights of Resident in CRIT Proposed Trespass Action

On November 1, 2012, CRIT leasing agent Andrea Vernoy served West Bank resident Sandra Hopkins a Notice of Trespass. Along with the Notice, the CRIT employee instructed Ms. Hopkins to remain permanently off the reservation, except for the purposes of her employment. The banishment from the reservation included a warning that Ms. Hopkins was not allowed to occupy any dwelling of any type on the reservation.

Ms. Hopkins explained that she was a temporary guest of a resident in the Rymer Subdivision. The owner of the property subsequently notified the CRIT leasing agent that indeed Ms. Hopkins was a guest and not a trespasser. The CRIT leasing agent then informed the owner that his guest will be removed from the property regardless of his wishes to the contrary.

The Notice of Trespass cites Chapter 2 of the Colorado River Indian Tribes Law and Order Code as its sole basis for the trespass citation. However, there is no such Chapter in the CRIT Law and Order Code.

West Bank Homeowners Association President Roger French notified CRIT outside counsel of the illegality of the Notice, and later the Riverside County Sheriff Tribal Liaison, Lt. Earl Quinata. CRIT counsel refused to comment. Lt. Quinata claimed that any attempt by CRIT police to remove residents without a court order is a civil matter, not criminal. He further explained that the sheriff will not get involved in any actions by the CRIT tribal police in the disputed area, and that the only action the sheriff will take is to “keep the peace”. He went even further claiming that the sheriff will take no action without a direct order from the state.

When reminded that the position of the Riverside County Sheriff has always been to prohibit any attempted removal actions by CRIT unless accompanied by a court order, Quinata stated that any action taken by CRIT is civil in nature and the residents are invited to use the CRIT legal process for remedies. (Apparently the Lieutenant doesn't understand sovereign immunity.) He also claimed that PL280 does not direct the sheriff to protect anyone in the disputed area. When asked to document his response as requested by email a week earlier, Quinata refused.

The result of the Riverside County Sheriff's refusal to enforce PL280 and California Penal Code §418 will be the complete abandonment of the rule of law in the disputed area. Residents should be advised that regardless of whether or not they have signed an agreement with CRIT, they have no constitutional rights and no police protection in accordance with any of our constitutional rights. Residents should take note that CRIT is attempting to remove a resident in accordance with a CRIT law that does not even exist, effectively meaning that CRIT refuses to abide even by its own laws.

Residents should also take note that although this action by CRIT is against a guest of a resident, CRIT's refusal to abide by federal, state, and tribal law for due process will set a dangerous precedent for all guests and residents, even those residents with a current CRIT lease. Left unchecked by the Riverside County Sheriff, CRIT will have established the ability to allow a single employee to eject anyone and everyone from the disputed area without recourse or legal review.