

## Public Law 280, *in Plain Words*

Why the county sheriff answers the call in California Indian country, why the money never followed the job, and why the real fixes look like cross-deputization and data — not new rights. A short explainer of the 1953 law underneath everything.

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**About this briefing.** Descriptive, deliberately short, and built to be understood at a kitchen table. Statutes are cited by their standard, stable citations (full text at [uscode.house.gov](https://uscode.house.gov) and [leginfo](https://leginfo.ca.gov)); the on-the-ground consequences lean on the sourced record in this series' MMIP briefing. It is not legal advice — jurisdiction questions in a real case go to a lawyer — and where a question is genuinely contested, this briefing says so instead of picking a side. Personal work, not a tribal position.

**1953**

the year Congress moved the job — Pub. L. 83-280, no tribal vote taken

**6**

mandatory states; California is one — 18 U.S.C. §1162(a)

**1968**

tribal consent required before any new state takeover — 25 U.S.C. §1326

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dollars of new local funding the transfer carried — the gap this series documents

### 01 — OVERVIEW

#### The short version

In 1953, in the middle of the termination era, Congress passed a law that quietly rearranged justice in California Indian country — and most people living inside its consequences have never heard its name. Public Law 280 took criminal jurisdiction on tribal lands away from the federal government and handed it to six states, California among them. Nobody asked the tribes; the requirement to ask wasn't written into law for another fifteen years, and it only covered future takeovers.

The result, seventy years on: when something happens on tribal land here, the county sheriff answers and the state court prosecutes — in counties that are huge, rural, thin on deputies, and were handed the responsibility without a dollar attached. Meanwhile the federal money and presence that police Indian country in most other states receded. That single arrangement sits underneath half of what this series has documented: the unsolved cases, the data holes, the confusion at the boundary line. Understanding it is the difference between blaming people and fixing structure.

## 02 — WHAT IT IS

### The law, in plain words

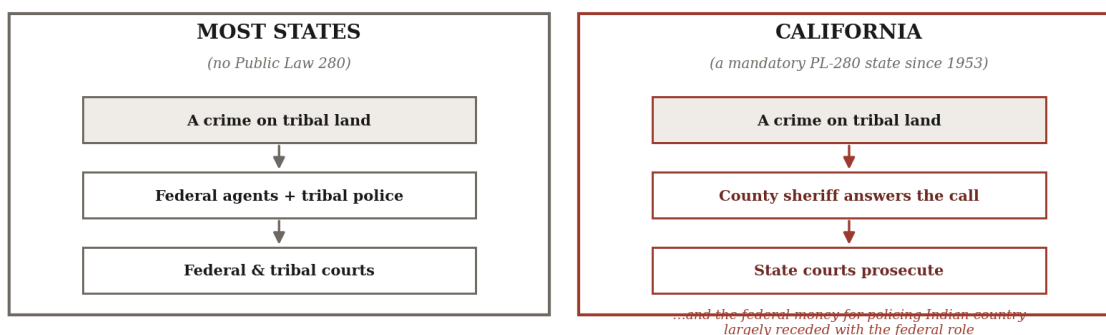
- **The criminal side** — state criminal law applies in Indian country in the listed states, enforced by local officers and state courts — 18 U.S.C. §1162. California is a mandatory state: subsection (a) covers “all Indian country within the State.”
- **The civil side** — state courts are opened to ordinary private lawsuits involving tribal members arising in Indian country — 28 U.S.C. §1360. A courtroom door, not a grant of governing power.
- **The consent fix, too late for here** — in 1968 Congress required tribal consent by referendum before any state could newly assume jurisdiction — 25 U.S.C. §1326 — and created a path for states to hand jurisdiction back, §1323. California’s 1953 assumption predates all of it.

## 03 — THE SEAM

### What changed — and what never did

The diagram shows the seam. In most states, a crime on tribal land is a federal and tribal matter — federal agents, tribal police, federal and tribal courts, and the federal budget that comes with them. In California, Public Law 280 reroutes that call to the county sheriff and the state courthouse.

**The jurisdiction seam: who answers the call — shapes and layout, not color, carry the meaning**



#### WHAT DID NOT TRANSFER

Tribal sovereignty and self-government · the power to regulate or tax (Bryan v. Itasca County, 1976) · tribal authority over members — PL-280 moved the courtroom, not the nationhood.

Just as important is what the law never touched. It did not end tribal sovereignty or tribal governments’ authority over their members. And the Supreme Court has twice cut it down to size: Public Law 280 gave states courts, not control — no general power to regulate or tax tribes or their lands (Bryan v. Itasca County, 426 U.S. 373 (1976)), and where a state merely regulates conduct rather than prohibiting it outright, its rules don’t reach Indian country at all (California v.

Cabazon Band, 480 U.S. 202 (1987)). The seam moved the courtroom. It did not move the nationhood.

#### 04 — WHAT IT BROKE

### Responsibility without resources

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The transfer carried duty but not money. Rural counties inherited policing obligations across enormous ground with no matching appropriation — and the federal footing that funds public safety in non-280 Indian country largely withdrew from California's. The consequences are not abstract in this series: the Yurok-led study behind the MMIP briefing documents the pattern its authors trace directly to this structure — cases involving Native people markedly less likely to be solved, most never entering any database at all, and families navigating a seam where the sheriff, the state, and the tribe each hold a piece and no one holds the whole. Distance does the rest: in this country the nearest deputy can be an hour of road away, and an underfunded mandate stretches thinnest exactly where the need is greatest.

**Say it structurally.** None of this requires a villain. A 1953 Congress moved a job without moving its budget, and seventy years of ordinary institutional behavior did the rest. That's why the fixes below are boring, buildable things — agreements, data, funding — and not accusations.

#### 05 — WHAT WORKS

### The patches — already proven or already law

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- **Cross-deputization** — tribal officers deputized to enforce state law, county officers oriented to tribal land — the seam staffed from both sides. The Yurok agreements documented in the MMIP briefing are the working California model, and the study behind that briefing names this the most repeatable fix available.
- **Make the cases visible** — AB 2695 (Ramos, 2024) requires criminal-record data reported to the state Department of Justice to be broken out by whether an incident occurred in Indian country — the direct answer to the database hole (exact code section at [leginfo](#)).
- **Force the clock** — the Feather Alert and its 2024 forcing amendments — Gov. Code §8594.13: a 24-hour decision requirement, a tribe-direct route to the CHP, reasons in writing — are Sacramento patching, one statute at a time, seams a 1953 Congress tore.
- **Fund the mandate** — grant dollars aimed at tribal-adjacent public safety — like the state community-corrections grant already documented in this series

— put money where the 1953 transfer never did. Every application is a small act of repair.

## 06 — WHAT'S CONTESTED

### Retrocession — named, not resolved

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Federal law lets a state offer jurisdiction back to the United States — retrocession, 25 U.S.C. §1323 — and it has happened elsewhere, tribe by tribe, rarely and slowly. Whether any of it should happen here is a genuine question with serious arguments on multiple sides — sovereignty and self-determination on one hand; the practical machinery, funding, and transition risks on the other — and it belongs to tribal governments and their citizens, not to a briefing. This document's job is only to make sure the word is known and the door is marked. What isn't contested: the seam as it stands is under-resourced, and the patches in §05 work whether or not the bigger question is ever opened.

## 07 — FOR THE PAPER

### The corner version — lift freely

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**Why the sheriff answers the call.** In 1953, Congress passed a law called Public Law 280. It took the job of policing serious crime on tribal lands away from the federal government and gave it to California's counties — without asking the tribes, and without sending any money to do the job. That is why, to this day, a call from tribal land goes to the county sheriff and a state courtroom, in counties that are big, rural, and stretched thin. The law did not end tribal nationhood — the courts have said so plainly — but it left a seam, and a lot of what goes unsolved in our country falls into it. The fixes are practical: officers deputized across the line, cases counted properly, and money finally attached to the mandate. Seventy years late is better than never.

That box is written for the newsletter's law corner — lift it whole, trim it, or rewrite it in your own voice; it needs no citation beyond “see the full explainer,” and the editor's word governs, as always.

## § — AUTHORITIES

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*Federal citations below are the standard, long-stable ones — full text at [uscode.house.gov](https://uscode.house.gov); case law at any reporter. State items were verified in this series' July 6, 2026 legislative pass. A lawyer's read is required before any advocacy or litigation use. Not legal advice.*

Public Law 83-280, Act of Aug. 15, 1953, 67 Stat. 588 — criminal jurisdiction codified at 18 U.S.C. §1162 (California mandatory, §1162(a)); civil at 28 U.S.C. §1360.

Indian Civil Rights Act of 1968 — tribal consent for new state assumptions, 25 U.S.C. §1326; retrocession, 25 U.S.C. §1323 (with §§1321-1322 on assumptions).

Bryan v. Itasca County, 426 U.S. 373 (1976) — PL-280 conferred no general state power to regulate or tax in Indian country. California v. Cabazon Band of Mission Indians, 480 U.S. 202 (1987) — the criminal/prohibitory vs. civil/regulatory line.

On-the-ground consequences — the sourced record in this series' MMIP briefing: the Yurok-led study's findings on solve rates, database absence, and the funding gap; the Yurok cross-deputization model. Gov. Code §8594.13 (Feather Alert, as amended 2024) and AB 2695 (2024) — pin cites and status in this series' Tribal Bills Report.