

KALISPEL RESOLUTION NO. 2015-25



Kalispel Tribe of Indians
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RESOLUTION

- WHEREAS, the Kalispel Business Committee is the duly Constituted governing body of the Kalispel Tribe by the authority of the Constitution and By-Laws for the Kalispel Tribe; and
- WHEREAS, under the Constitution and By-Laws of the Tribe, the Kalispel Business Committee is charged with the duty of protecting the health, security and general welfare of the Kalispel Tribe and all Reservation residents; and
- WHEREAS, the Kalispel Law and Order Code (KLOC) Chapter 2 CRIMINAL PROCEDURES provides procedures on how criminal cases shall proceed in the Kalispel Tribal Court, and how searches, seizures, and arrests shall be completed by Kalispel Tribal Police; and
- WHEREAS, KLOC Chapter 13 SENTENCES provides guidelines and procedures on sentencing of defendants in the Tribal Court, and
- WHEREAS, incorporating Chapter 13 into Chapter 2 will create a more comprehensive Chapter explaining Tribal Court criminal procedures and make the Chapter easier to use; and
- WHEREAS, the majority of the provisions in Chapter 2 are outdated and have not been substantively updated since October 2000 (Resolution 2001-11); and
- WHEREAS, updating and revising Chapter 2 will provide clearer procedures for criminal cases in the Tribal Court, better protect the rights of individuals involved with the Tribal criminal justice system, and better explain the jurisdiction of the Tribal Court; and
- WHEREAS, input and feedback on the proposed changes were requested from Tribal Members, Tribal Court public defenders, Tribal Judges, and the Gonzaga Law School Indian Law Clinic; and
- WHEREAS, the proposed changes to Chapter 2 are extensive and synopsisized in the document "Attachment 1: Synopsis of Changes to KLOC Chapter 2 CRIMINAL PROCEDURES"; and
- WHEREAS, the proposed changes to Chapter 2 are visually distinguished from sections

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without changes in "Attachment 2: Changes to CHAPTER 2 CRIMINAL PROCEDURES"; and

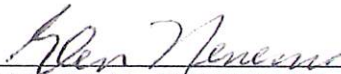
WHEREAS, the proposed changes appear in their finalized form and shall be codified into the KLOC as written in "Attachment 3: CHAPTER 2 CRIMINAL PROCEDURES."

NOW THEREFORE, BE IT RESOLVED, that the Kalispel Tribe of Indians through the Business Committee adopts the revisions to Chapter 2 CRIMINAL PROCEDURES, as described in Attachment 1 and 2, and finalized in Attachment 3; and

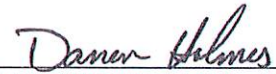
BE IT FURTHER RESOLVED that Chapter 13 is hereby designated as "RESERVED" for future code development.

CERTIFICATION

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 21 day of July, 2015, at the Tribal office on the Kalispel Indian Reservation near Usk, Washington, with the required quorum present by a vote of 2 FOR and 1 AGAINST, 1 abstain.



GLEN NENEMA, CHAIRMAN
KALISPEL BUSINESS COMMITTEE
(TERM EXPIRES JUNE 2017)



DARREN HOLMES, SECRETARY
KALISPEL BUSINESS COMMITTEE
(TERM EXPIRES JUNE 2016)