

Kalispel Tribe of Indians  
 P.O. Box 39  
 Usk, WA 99180  
 (509) 445-1147  
 (509) 445-1705 fax  
 www.kalispeltribe.com

## 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 provisions of the Law and Order Code of the Kalispel Tribe of Indians (hereafter "Code") have been passed via Resolutions by the Kalispel Business Committee, for the purpose of protecting the lives, property, culture and natural resources of the Kalispel Tribe of Indians; and

WHEREAS, errors to the Code should be identified and addressed to prevent confusion and misinterpretation; and

WHEREAS, the EXTRADITION subsections in Chapter 2 CRIMINAL PROCEDURES should be revised to address errors which may cause confusion.

NOW THEREFORE, BE IT RESOLVED that subsections 2-2.03 and 2-2.04 of Chapter 2 CRIMINAL PROCEDURES shall be revised as follows (revisions are highlighted in yellow and new language is underlined for easier identification):

2-2.03 SPOKANE COUNTY WARRANTS SERVED ~~AT NORC ON~~  
 RESERVATION LANDS IN SPOKANE COUNTY; OPTION OF FIELD  
 WAIVER

- (1) If the foreign warrant is an extraditable warrant ~~from~~ issued by Spokane County, and the person is being detained on Kalispel Reservation lands in Spokane County, the person being detained may elect by written waiver to forego an extradition hearing in Tribal Court.
- (2) If the person being detained so elects, the Kalispel Tribal Officer shall provide the written waiver form. The written waiver form shall be read by or to the person being detained. The written waiver form shall be completed fully and all required signatures must be affixed to the form.
- (3) Once the waiver has been completed and the person being detained has knowingly chosen to waive an extradition hearing in Kalispel Tribal Court, the

Kalispel Tribal Officer ~~shall~~ may transport the individual directly to the Spokane County Jail.

- (4) The Kalispel Tribal Judge and Tribal Court Administrator shall be provided with copies of the Spokane County warrant and the completed written waiver form within forty-eight (48) hours of the person's arrest.


2-2.04 WAIVER OF EXTRADITION

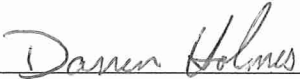
Any Indian arrested on a foreign bench warrant or foreign arrest warrant may waive all rights to a hearing on extradition and voluntarily consent to extradition. Unless the provisions of KLOC 2-2.03 apply, ~~the~~ the following are required for a valid waiver:

- ~~(4)~~ (1) Prior to execution or subscription of the waiver, a Tribal Judge shall inform the person of his or her rights to a hearing on extradition pursuant to ~~KLOC 2-2.04~~ KLOC 2-2.05;
- ~~(5)~~ (2) The waiver must be executed or subscribed to in the presence of a Tribal Judge; and
- ~~(6)~~ (3) The waiver must state in writing that the person consents to return to the demanding jurisdiction.

**CERTIFICATION**

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 1 day of March, 2016, at the Tribal office on the Kalispel Indian Reservation near Usk, Washington, with the required quorum present by a vote of 4 FOR and 0 AGAINST.

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

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