



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 11-48

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

WHEREAS, the Squaxin Island Tribe retains the inherent authority to determine the use and occupancy of its lands, to protect its lands, property and members, and to exclude or otherwise limit access to its lands.

WHEREAS, the Tribal Council has determined that Frank Metcalf:

- *Is and remains a threat to the health and welfare of the Tribal community, and in particular, tribal employees.*
- *Creates fear within the Tribal community and a disruptive presence;*
- *Persists in acts contrary to applicable tribal, state or federal criminal laws showing a willful disregard for personal or property interests, including, but not limited to, assaults on other persons and intentional destruction of property; and*

- *Interference with tribal rights, including inherent sovereign rights, treaty, constitutional, and other governmental rights.*

NOW THEREFORE BE IT RESOLVED, Frank Metcalf excluded from Squaxin Island Lands, including but not limited to

- The Squaxin Island Reservation, including community, tribal administrative buildings and housing;
- Little Creek Casino Resort;
- Salish Seafoods;
- Kamilche Trading Post;
- Skookum Creek Tobacco Co., Inc.;
- Child Development Center, Inc.;
- Museum Library & Research Center.

BE IT FURTHER RESOLVED, that Frank Metcalf may not enter Squaxin lands (included as noted above) without police escort, and must provide 48 hours notice to Law Enforcement.

BE IT FURTHER RESOLVED, that Frank Metcalf may not travel to the Squaxin Island medical or dental clinic without police escort, and must provide 48 hours notice to Law Enforcement.

BE IT FURTHER RESOLVED, Frank Metcalf is hereby ordered to leave Squaxin Island Lands by July 8, 2011.

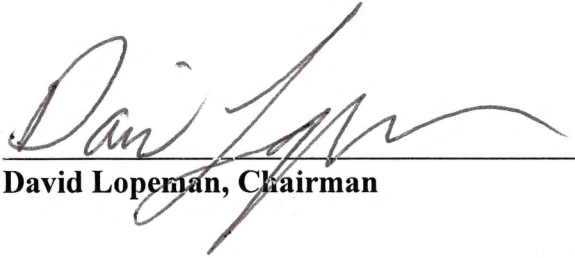
BE IT FURTHER RESOLVED, this exclusion action shall become permanent on September 1, 2011, unless prior to that date, Frank Metcalf shows cause why this action shall not become permanent. Frank Metcalf may ask to be on any regularly scheduled Tribal Council session.

BE IT FURTHER RESOLVED, that Frank Metcalf shall present, if he elects to appear before Council before September 1, 2012, a mental health and chemical dependency evaluation conducted by a certified mental health and chemical dependency provider, that addresses specifically the risk that Frank Metcalf presents to himself, others, and others' property, as well as an anger management evaluation;

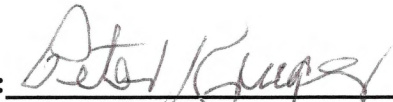
NOW BE IT FINALLY RESOLVED, Frank Metcalf may request a review of this Resolution Order no sooner than December 31, 2012.

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this day of July 8, 2011, at which time a quorum was present and was passed by a vote of 6 for and 0 against, with 0 abstentions.



David Lopeman, Chairman

Attested by: 

Peter Kruger, Secretary



Arnold Cooper, Vice Chairman