



# SQUAXIN ISLAND TRIBE

## RESOLUTION NO. 12- 52

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 Tribe's Constitution and Bylaws, Article II, Section 1, establishes the eligibility criteria for enrollment in the Squaxin Island Tribe; and

**WHEREAS**, Thelma Janine (Shea) Templeton, Dena (Van Hoy) Shea, Diana L. Van Hoy, Justina and Isabel Cools, and Christina L. Shea are currently members of the Squaxin Island Tribe based upon documentation submitted that indicated their respective eligibilities under Article II, § 1(e) of the Constitution; and

**WHEREAS**, in 2007 the Enrollment officer was approached by others who challenged whether Alfred Bryan was the biological father of Thelma Janine (Shea) Templeton. Alfred Bryan's name appeared on Thelma's Squaxin enrollment application; and

**WHEREAS**, the Enrollment Officer at the direction of Council initiated an investigation in 2007 into whether Alfred Bryan (3/4 Indian blood – Quinault) whose name also appeared on the

Quinault Nation's certificate of enrollment, was the biological father of Thelma Janine (Shea) Templeton, as opposed to Robert E. Templeton, a non-Indian whose name appears on Thelma's birth certificate; and

**WHEREAS**, an Enrollment Code was adopted on February 25, 2010, that among other things acknowledged the existence of pending investigations and established a process for disenrollment investigations and decision-making; and

**WHEREAS**, the Enrollment Officer and Enrollment Committee continued with and completed that investigation, which included DNA testing; held a hearing on April 24, 2012; and found that clear and convincing evidence indicated that the biological father of Thelma Janine (Shea) Templeton was not Alfred Bryan; and

**NOW THEREFORE**, the Squaxin Island Tribal Council has considered the Enrollment Committee's deliberations, findings and recommendations, and evidence presented by the Tribe and those present at the hearing before the Enrollment Committee, and finds there to be clear and convincing evidence that the biological father of Thelma Janine (Shea) Templeton was not Alfred Bryan; and

**BE IT FURTHER RESOLVED**, that by confirming that Alfred Bryan is not the birth father of Thelma Janine (Shea) Templeton, the blood quantum attributed to him in the eligibility determinations is incorrect, and that a revised calculation based on zero Indian blood attributed to the unknown birth father results in a reduced blood quantum for Thelma and corresponding reductions for her progeny; and

**BE IT FURTHER RESOLVED**, that: (1) the blood quantum of Thelma Janine (Shea) Templeton shall be reduced from 13/16 to 7/16; (2) the blood quantum of Dena (Van Hoy) Shea shall be reduced from 13/32 to 7/32; (3) the blood quantum of Diana L. Van Hoy shall be reduced from 13/32 to 7/32; and (4) as the blood quantum of Justina and Isabel Cools is each reduced from 13/64 to 7/64, each shall be removed from the Squaxin Island Membership Rolls; and

**BE IT FURTHER RESOLVED**, that unless Christina L. Shea presents clear and convincing evidence by October 1, 2012, that her birth father contributed Indian blood in a sufficient quantum to meet the eligibility requirements of the Squaxin Island Tribe's Constitution, her blood quantum shall be reduced from 13/64 to 7/64 and she shall be removed from the Squaxin Island Membership Rolls, and this decision shall be considered final; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be submitted to the Bureau of Indian Affairs to update the People Network System, and the Enrollment Officer is authorized to do any and all acts necessary to effect the respective disenrollments and blood quantum reductions with tribal and federal agencies; and

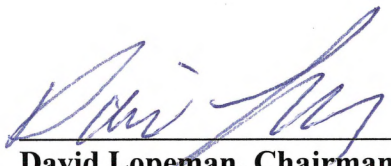
**BE IT FURTHER RESOLVED**, that there shall be no further distributions into the minors' trust funds held by the Tribe for the benefit of the minors' trusts of Justina and Isabel Cools while they are disenrolled; and

**BE IT FURTHER RESOLVED**, on the vesting date (18 years old with a high school diploma or equivalent, or 21 years old) if Justina and/or Isabel is/are not enrolled then the these funds shall go to the Tribe; and if enrolled, to the respective individual; and

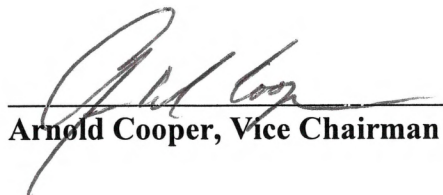
**BE IT FURTHER RESOLVED**, that the decision to disenroll is without prejudice such that Justina Mae Cools and Isabel Cools may apply for Squaxin membership at a later date.

### 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 13<sup>th</sup> day of September, 2012, at which time a quorum was present and was passed by a vote of 4 for and 0 against, with 0 abstentions.

  
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David Lopeman, Chairman

Attested by:   
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Pete Kruger, Secretary

  
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Arnold Cooper, Vice Chairman