

Law Enf.



SQUAXIN ISLAND TRIBE

Route 1, Box 257 Shelton, Washington 98584

Calvin J. Peters - Chairman
Bryan A. Johnson - Vice Chairman
Sally Ann Norman - Secretary

Wesley Whitener - Treasurer
John Krise - Councilman
Florence Sigo - Tribal Historian

RESOLUTION NO. 81 - 43

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe of Indians by the authority of the Constitution and By-Laws 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, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe; and

WHEREAS, The Squaxin Island Tribal Council finds it necessary to add or amend the following sections to the Squaxin Island Law and Order Code: Driving while under the Influence, Reckless Driving, Hit and Run, and Negligent Homicide;

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Law and Order Code be amended in the manner attached: Sections 25, 25.1, 25.2, 25.3, 25.4, 26, 26.1, 4.6

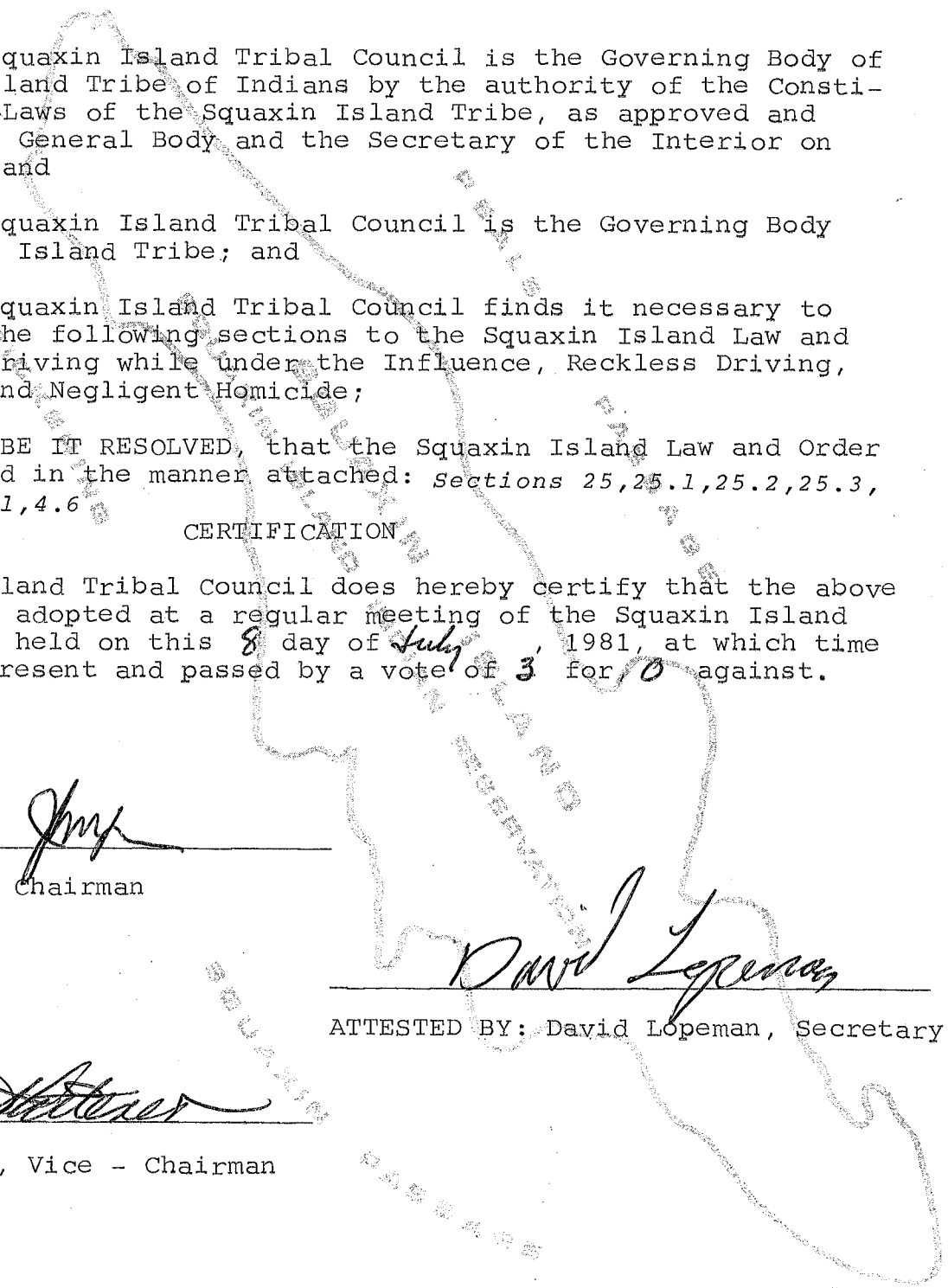
CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the above Resolution was adopted at a regular meeting of the Squaxin Island Tribal Council held on this 8 day of July, 1981, at which time a quorum was present and passed by a vote of 3 for 0 against.

Bryan Johnson, Chairman

ATTESTED BY: David Lopeman, Secretary

David Whitener, Vice - Chairman





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AMEND Section 25 to read Driving A Motor Vehicle

AMEND Section 25.1 to read as follows:

25.1 Driving while under the influence of intoxicating liquor or drugs or glue.

1. What constitutes. A person is guilty of driving while under the influence of intoxicating liquor or any drug or glue if he drives a vehicle within the Reservation while:

- a) He has 0.10 percent or more by weight of alcohol in his blood as shown by chemical analysis of his breath, blood, or other bodily substance, other than urine or;
- b) He is under the influence of or affected by intoxicating liquor or any drug or glue;
- c) He is under the combined influence of or affected by intoxicating liquor and any drug or glue.

The fact that any person charged with a violation of this section is or has been entitled to use of such drug under the laws of this Tribe shall not constitute a defense against any charge of violating this section.

Driving while under the influence is a Gross Misdemeanor.

AMEND Section 25.2 to read as follows:

25.2 Reckless Driving

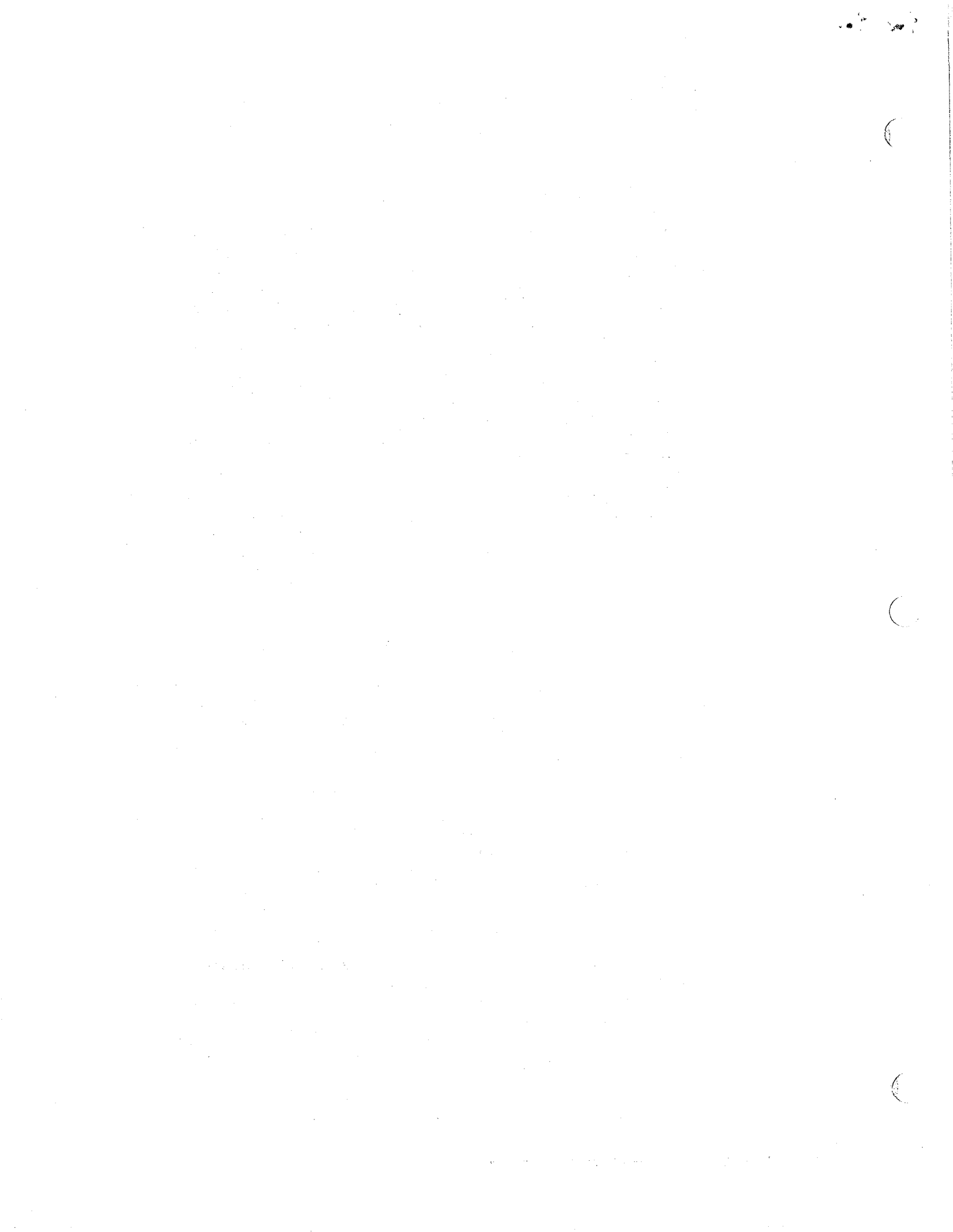
1. What constitutes. Any person who shall drive or operate any motor vehicle in any manner dangerous to the public safety or properties of the people of the Squaxin Island Reservation shall be deemed guilty of Reckless Driving.

Reckless Driving is a Gross Misdemeanor.

AMEND Section 25.3 to read as follows:

25.3 Hit and Run of unattended car or other property

1. What constitutes. A person is guilty of hit and run of unattended car or other property within the Reservation when as operator of any vehicle which collides with any other vehicle or other property, which is unattended, he fails to immediately stop and either locate and notify the owner or operator of said vehicle or other property, of his name and address or leave in a conspicuous place in or on the vehicle or other property, a written notice, giving the name and address of the operator and owner of the vehicle striking such vehicle or other property.



Hit and Run of unattended car or other property is a Gross Misdemeanor.

ADD Section 25.4 to read as follows:

25.4 Hit and Run of an attended vehicle or other property.

1. What constitutes. A person is guilty of hit and run of an attended vehicle or other property within the Reservation when:

a) As driver of any vehicle involved in an accident resulting in the injury to or death of any person, he fails to immediately stop such vehicle at the scene of such accident or as close thereto as possible, without obstructing traffic more than necessary, forthwith return to, and in every event remain at the scene of such accident until he has fulfilled requirements of this section.

b) As driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property, who fails to immediately stop such vehicle at the scene of such accident or as close thereto as possible, without obstructing traffic more than necessary, and forthwith return to and in any event remain at the scene of such accident until he has fulfilled the requirements of this section.

DUTY: The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person or damage to other property shall give his name, address and vehicle license number and shall exhibit his vehicle driver's license to any person struck or injured or the driver or any occupant of, or any person attending, any such vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or hospital for medical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person or on his behalf. In the event that none of the persons specified are in condition to receive the information to which they otherwise would be entitled under this section, and no police officer is present, the driver of any vehicle involved in such accident after fulfilling all other requirements of this section insofar as possible on his part to be performed, shall forthwith report such accident to the police authority and submit thereto the information specified in this section.

Hit and Run of an attended vehicle or other property is a Gross Misdemeanor.

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AMEND Section 26 to read Littering

AMEND Section 26.1 to read as follows:

26.1 Littering

1. What constitutes. Any person who throws, dumps, places or deposits upon the lands of another or upon any public road, highway, street, or any other area within the Reservation, without the consent of the owner, any garbage, debris, junk, carcasses, trash, refuse, or any other substance of nature whatsoever shall be deemed guilty of an offense of littering.

Littering is a Misdemeanor.

AMEND Section 25 Sentencing to read 27 Sentencing.

AMEND Section 25.1 to read 27.1

AMEND Section 25.2 to read 27.2

AMEND Section 25.3 to read 27.3

AMEND Section 26 Juviniles to read 28 Juviniles.

AMEND Section 26.1 to read 28.1

AMEND Section 26.2 to read 28.2

AMEND Section 26.3 to read 28.3

AMEND Section 27 Construction to read 29 Construction.

AMEND Section 28 Effective Date to read 30 Effective Date.

AMEND Section 29 Amendments to read 31 Amendments.

ADD Section 4.6 Negligent Homicide to read as follows:

4.6 Negligent Homicide

1. What constitutes. A person is guilty of negligent homicide within the Reservation when:
a) The death of any person shall ensue within three years as a proximate result of injury received by the driving of any vehicle by any person while under the influence of or affected by intoxicating liquor or drugs or glue, ^{or} by the operation of any vehicle in a reckless manner or with disregard for the safety of others.

Negligent Homicide is a Felony.

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