

**SQUAXIN ISLAND TRIBE**

WEST 81 HIGHWAY 108  
SHELTON, WASHINGTON 98584  
(206) 426-9781

RESOLUTION NO. -~~33~~34  
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 has accepted the responsibility of the overall health, education and welfare of its members; and

WHEREAS, the Federal Government through the Department of Health and Human Services has made available funds for a Low Income Home Energy Assistance Program under the Home Energy Assistance Act of 1980/81 and

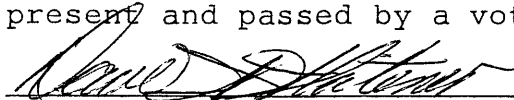
WHEREAS, it is necessary that the Squaxin Island Tribe and the State of Washington enter into an Agreement that the Tribe, shall receive direct funding from the Federal Government for the operation of a Low Income Home Energy Assistance Program; and

WHEREAS, the Squaxin Island Tribal Council desires that they be represented in this Agreement by the South Puget Intertribal Planning Agency, of which Squaxin Island Tribe is a member.

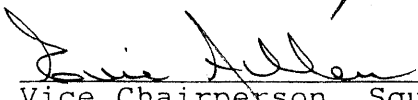
NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby authorizes the South Puget Intertribal Planning Agency to negotiate and execute an agreement with the State of Washington for direct Federal funding of a Low Income Home Energy Assistance Program on behalf of the Squaxin Island Tribe.

C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the foregoing resolution was adopted at a regular meeting of the Squaxin Island Tribal Council held on this 27th. day of August, 1986, at which time a quorum was present and passed by a vote of 4 for and 0 against.

  
\_\_\_\_\_  
David W. Whitener, Chairman

ATTESTED BY:  
  
\_\_\_\_\_  
Secretary, Squaxin Tribal Council

  
\_\_\_\_\_  
Vice Chairperson, Squaxin Tribal Council

31. DEFERRED PROSECUTION31.1 Deferred Prosecution: Minor First Offenses.

Proposed Amendment: (underlined) (1) The Tribal Prosecutor may enter a deferred prosecution agreement with a person charged for the first time with a misdemeanor, gross misdemeanor, ~~or~~ fishing violation, or liquor violation committed by a minor, where no violence occurred in connection with the offense.

(2) The agreement shall be signed by the Tribal Court Judge and it shall set forth the following conditions:

(a) The defendant shall refrain from engaging in any unlawful activity for a specified period of time up to one year;

(b) delay in bringing the case to trial shall not be grounds for dismissal;

(c) the prosecutor shall defer prosecution of the defendant during the specified period of time if the defendant is not charged with any criminal or fisheries offenses during that time; and

(d) the court shall dismiss with prejudice the charges against the defendant at the end of the specified period of time if the defendant has not been charged with any criminal or fisheries offense during that time.

(3) If the defendant is charged with any criminal or fisheries offense during the specified period of time, the prosecutor may terminate the deferred prosecution agreement and the defendant shall be arraigned on the original charges.

31.2 Deferred Prosecution: Offenses Caused by Alcohol or Drug Abuse.

Proposed Amendment: (underlined) (1) A person charged with misdemeanor, ~~or~~ gross misdemeanor, or liquor violation committed by a minor may request the Tribal Court to be considered for a deferred prosecution program under this subsection. The request shall be made at arraignment or before trial.

(2) The persons' request must state the following:

(a) the offense charged is the result of or caused by alcohol problems or drug problems for which the person is in need of treatment;

(b) without treatment, there is a great probability of future reoccurrence of similar misconduct; and

Proposed Amendment: (underlined) (c) ~~a case history~~ an assessment, evaluation, or diagnosis of the person's alcohol or drug problems.