



# Cowlitz Indian Tribe

Tribal Council Resolution No. 18-24  
Short Title: State certification of Cowlitz Tribal Police Officers.

**WHEREAS**, the Cowlitz Indian Tribe is Acknowledged as a Sovereign Indian Nation by the United States Government, and

**WHEREAS**, the Cowlitz Indian Tribal Council is the governing body of the Cowlitz Indian Tribe as authorized by the Tribe's Constitution and By-laws, and

**WHEREAS**, the Cowlitz Indian Tribe is responsible for protecting and enhancing the social, health, educational, and public safety of its Tribal Members, and provide for public safety to others who work, live, or visit the Cowlitz Indian Reservation and its dependent Indian Communities.

**WHEREAS**, the Cowlitz Indian Tribe wishes to obtain certification of its Law Enforcement Officers as defined by Washington State Law; and

**WHEREAS**, the State of Washington has authorized the Criminal Justice Training Commission to issue certification to officers who meet their requirements and as prescribed for in the Revised Code of Washington (RCW); and

**WHEREAS**, such certification would be formal recognition by the State of Washington that certified Cowlitz Tribal Law Enforcement Officers have the same general authority as police officers from other jurisdictions in the state;

**WHEREAS**, such certification would be in conformity with Cowlitz Tribal Resolution No. 17-03, titled Cowlitz Indian Tribal Public Safety Department, which was passed on April 1, 2017. (see attached)

**NOW THEREFORE BE IT RESOLVED**, by the Tribal Council of the Cowlitz Indian Tribe, that the Cowlitz Indian Tribe does hereby authorize the Chairman to sign an Interagency Agreement with Washington State Criminal Justice Training Commission to obtain certification of Law Enforcement Officers of the Cowlitz Tribal Police Department. (see attached)

---CERTIFIED---

The foregoing resolution was adopted by the Tribal Council at a duly called meeting on 07 July 2018 by a vote of 16 for, 0 opposed, and 0 abstain.

Patty Kinswa-Gaiser Cathy Raphael  
Taylor Aalvik, Tribal Council Chair Randy Russell, Tribal Council Secretary  
PATTY KINSWA-GAISER CATHY RAPHAEL



# Cowlitz Indian Tribe

Tribal Council Ordinance No. 17-09

Short Title: Cowlitz Indian Tribal Public Safety Department

**WHEREAS**, the Cowlitz Indian Tribe is acknowledged as a Sovereign Nation by the United States Government; and

**WHEREAS**, the Cowlitz Indian Tribe has the authority and responsibility to safeguard and protect its tribal lands, properties, members and sovereignty; and

**WHEREAS**, the Cowlitz Indian Tribe will provide law enforcement and safety services equal to and meeting the requirements of RCW 10.92 Tribal Law Enforcement Act and to standards of certification equal to or greater than required by the U.S. Indian Police Academy, Washington State Law Enforcement Training Commission and or the Federal Law Enforcement Training Center; and

**WHEREAS**, the Cowlitz Indian Tribe is authorized by Tribal Code, Criminal and Civil Codes and 25 USC 2803, and as a Sovereign Nation within its authorized authorities authorize the Cowlitz Indian Tribal Public Safety Department; and

**WHEREAS**, the Cowlitz Indian Tribe possesses the inherent powers to exercise civil and criminal regulatory authority over all persons within the Cowlitz Indian Reservation whose actions threaten the security and safety and general welfare of the Cowlitz Tribal members and visitors; and

**WHEREAS**, the proximity of the Cowlitz Indian Reservation to the I-5 corridor and freeway exit ramps provides persons wishing to commit undesirable acts easy access and exit, increasing the risk of acts and behaviors deemed harmful to public safety and economic development of the Cowlitz Tribe; and

**NOW THEREFORE BE IT ENACTED** by the Tribal Council of the Cowlitz Indian Tribe, the following Ordinance is hereby adopted:

## **“Cowlitz Indian Tribal Public Safety Department”**

### **Section 1: Applicability**

The creation and operation of the Cowlitz Indian Tribal Public Safety Department on trust lands and properties of the Cowlitz Indian Tribe.

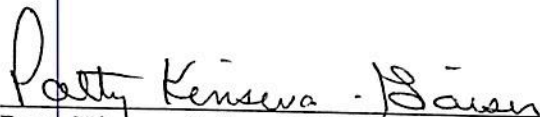
### **Section 2: Authorities of the Cowlitz Indian Tribal Public Safety Department**

- (A) The authority to arrest, search & seizure under tribal codes, laws and federal laws and constitutions.

- (B) The authority to enforce traffic rules, regulations and infractions both civil and criminal under tribal, federal, and state traffic codes adopted by the tribe for public safety.
- (C) The authority to enforce criminal and civil codes of the Cowlitz Indian Tribe and issue infraction notices when appropriate.
- (D) The authority to patrol tribal lands, areas effecting hunting and fishing rights and enforce hunting and fishing codes.
- (E) The authorities under RCW 10.92.020, as authorized by Mutual Aid Agreements RCW 39.34 between State, County, City, or Federal governments and under authority of RCW 43.101.157 certification-training standards.

--CERTIFICATION--

The foregoing ordinance was adopted 01 APR, 2017, at a duly called meeting of the Cowlitz Tribal Council by a vote of 19 for, 0 against, and 0 abstaining.

  
Patty Kinswa-Gaiser, Tribal Council Chair

  
Randy Russell, Tribal Council Secretary

AA No. 2018-24



INTERAGENCY AGREEMENT

BETWEEN

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

AND

COWLITZ TRIBAL DEPARTMENT OF PUBLIC SAFETY

THIS AGREEMENT is made and entered into by and between the WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION ("Commission") and COWLITZ TRIBAL DEPARTMENT OF PUBLIC SAFETY, ("Tribal Agency"), an Indian Tribe recognized by the United States, subject to the requirements of Chapter 39.34 RCW.

Pursuant to RCW 43.101.157, the Tribal Agency is voluntarily requesting certification for their police officers by the Commission.

THEREFORE, IT IS THE PURPOSE OF THIS AGREEMENT to state and clarify the obligations of the Tribal Agency and its law enforcement officers for compliance with the requirements of the Commission concerning the granting, denying, and revoking certification of tribal peace officers. This agreement will empower the Commission to provide certification for tribal law enforcement officers of the Tribal Agency, subject to the provisions of RCW 43.101.157 and 43.101.095 *et seq.*

THEREFORE, IT IS MUTUALLY AGREED THAT:

By entering into this agreement, the Tribal Agency agrees to comply with the requirements of peace officer certification as set forth Chapter 43.101 RCW, Chapter 139-06 WAC, and any other laws and regulations governing peace officer certification in the State of Washington. The Tribal Agency agrees to provide the Commission with notification and all information to enforce the revocation of peace officer certification granted through this agreement, as described in RCW 43.101.135.

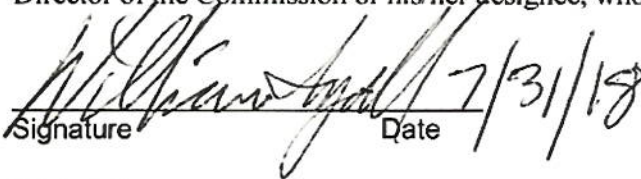
The Commission agrees to maintain certification records for tribal law enforcement officers of the Tribal Agency, and recognize tribal law enforcement officers of that agency as "certified tribal law enforcement officers." The Commission will not grant certification to individual officers, outside the scope of this agreement. Officers requesting certification must seek such recognition through their agency.

The Tribal Agency will be responsible for all costs of training related to certification pursuant to RCW 43.101.230.

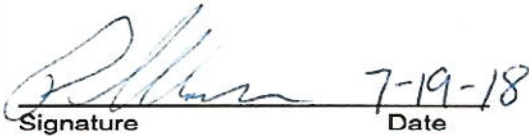
The Commission will be responsible for the maintenance of the records and for the administration of all requisite actions for granting, denying, or revoking tribal peace officer certification.

The Commission and the Tribal Agency agree that no real property will be acquired, maintained, or disposed of, as a result of this agreement.

This agreement shall remain in effect until such time as the Tribal Agency voluntarily withdraws its participation or until the Commission withdraws from this agreement due to any lack of cooperation with the terms of the agreement by the Tribal Agency. Any appeal from such action of the Commission will be made to the Executive Director of the Commission or his/her designee, who will exercise their discretion.

  
Signature \_\_\_\_\_ Date 7/31/18

Printed Name:  
Title: COWLITZ TRIBAL CHAIRMAN

  
Signature \_\_\_\_\_ Date 7-19-18

Printed Name: DONALD R. WALKOWIAK SR  
Chief of Police

  
Signature \_\_\_\_\_ Date 8/2/18

Susan L. Rahr, Executive Director  
Washington State Criminal Justice Training Commission