



LUMMI INDIAN BUSINESS COUNCIL
2665 KWINA ROAD • BELLINGHAM, WASHINGTON 98226 • (360) 312-2000

RESOLUTION #2019-133 OF THE LUMMI INDIAN BUSINESS COUNCIL

TITLE: Interlocal Cooperative Act Agreement (General Peace Officer Authority for Tribal Police Officers) between the Lummi Nation and Whatcom County, Washington

WHEREAS, the Lummi Indian Business Council (LIBC) is the duly constituted governing body of the Lummi Nation by the authority of the Constitution and Bylaws, as amended, of the Lummi Tribe of the Lummi Reservation, Washington; and

WHEREAS, pursuant to Article VI, Section 1, subpart (e) of the Lummi Constitution, the LIBC has the duty and authority to enforce regulations contained in approved tribal resolutions and ordinances for the protection of tribal property, fish and wild life, and other natural resources of the Lummi Tribe; and

WHEREAS, pursuant to Article VI, Section 1, subpart (g) of the Lummi Constitution, the LIBC has the duty and authority to negotiate with the Federal, State, and local governments on behalf of the tribe; and

WHEREAS, it is the mission of the LIBC "*To Preserve, Promote and Protect our Sche Lang en*" (LIBC Resolution #2012-025); and

WHEREAS, the LIBC entrusts with safeguarding and promoting the peace, safety, morals, and general welfare of the Lummi Reservation and desires that Lummi Nation Police Department (LNPD) officers be clothed in the authority to enforce all laws necessary to achieve this goal; and

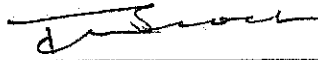
WHEREAS, the Washington State Criminal Justice Training Center (CJTC) has requested, and the Lummi Nation voluntarily consents to, state certification of LNPD officer training; and

WHEREAS, in order that LNPD officers be clothed in the authority to enforce state and federal law against non-tribal offenders located within the exterior boundaries of the Lummi Nation's reservation, the Whatcom County Sheriff's Office (WCSO) has requested the Lummi Nation's consent to an Interlocal Cooperative Agreement.

NOW, THEREFORE BE IT RESOLVED, the LIBC voluntarily consents to the Interlocal Cooperative Act agreement with Whatcom County, attached hereto; and

BE IT FINALLY RESOLVED, that the Chairman (or Vice Chair in his absence) is hereby authorized and directed to execute this resolution and any documents connected therewith, and the Secretary (or the Recording Secretary in her absence) is authorized and directed to execute the following certification.

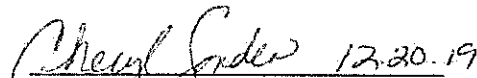
LUMMI NATION



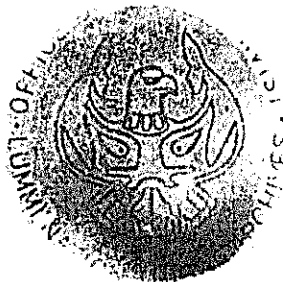
Lawrence Solomon, Chairman
Lummi Indian Business Council

CERTIFICATION

As Secretary of the Lummi Indian Business Council, I hereby certify that the above Resolution #2019-133 was adopted at a **Regular/Special** Meeting of the Council held on the 17th day of December, 2019, at which time a quorum of 7 was present by a vote of 6 for, 0 against, and 0 abstention(s).



Cheryl Sanders, Secretary
Lummi Indian Business Council





Council Operations Action Form

Please turn in with resolution & attachments or with your agenda item, to Council Operations, the Wednesday prior to the Council meeting by 4:30 PM. Late documents will not be accepted. If you have questions contact TeresaB@lummi-nsn.gov or ext 2142

To be completed by Originator:

Clearances	Initial	Date	Comments	Resolution # 2019-0133	Agenda Date: 1/
Originator	RW	11/13/19	MEB	Title: MEB with WCCSD (10-92)	Name of Presenter: Robert Wilson
ORA Cynthia Cartwright	CC	12/10/19		Financial impact (if yes please attach Executive Summary):	Budgeted item: Y <input checked="" type="radio"/> N <input type="radio"/> # of Pages Attached: 36
Department Director	RW	11/13/19		Distribution (departments or individuals who will need a copy of the certified resolution Circle all that apply):	
Cultural Department				Planning	Economic Development
CBC Chairperson	QPM	11/20/19		Human Resources	Reservation Attorney's
General Manager	SP			General Manager	Other:
Treasurer	KAP			Date / Name of Person Dropping Off at C.O.	
Chair or Vice Chair	LS	12/9			

Please give a brief narrative of your agenda item: Agreement with WCCSD INT 402
10-92 Progress

By signing below, I have completed the Action form assuring that there is approval from all listed parties before submitting it to Council Operations also; "Sign here" tabs have also been placed in all areas in need of signature.

Signature of Department: [Signature] Date & Time 11-13-19
Signature Received by: [Signature] Date & Time 12/11/19

To be completed by Council Operations staff:

Council Follow Up	
Specifically:	
Timeline:	Delegate(s):

Resolution # 2019-0133

AA No. 2020-26



INTERAGENCY AGREEMENT

BETWEEN

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

AND

The Lummi Nation Indian Tribe of Washington

THIS AGREEMENT is made and entered into by and between the WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION ("Commission") and Lummi Nation Police Department, ("Tribe"), an Indian Tribe recognized by the United States.

Pursuant to RCW 43.101.157, the Tribe 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 Tribe and its law enforcement officers for compliance with the requirements of the Commission concerning the granting, denying, and revoking certification of Tribe peace officers. This agreement will empower the Commission to provide certification for tribal law enforcement officers of the Tribe, 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 Tribe 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 Tribe agrees to provide the Commission with notification and all information to enforce the revocation of peace officer certification/tribal police officer certification granted through this agreement, as described in RCW 43.101.135.

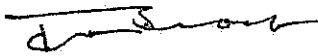
The Commission agrees to maintain certification records for tribal law enforcement officers of the Tribe, and recognize tribal law enforcement officers of that agency as "certified tribal police officers." The Commission will not grant certification to individual officers, outside the scope of this agreement.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

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

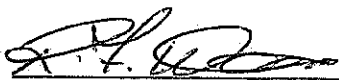
The Commission will be responsible for the maintenance of the records and for the administration of all requisite actions for granting, denying, or revoking tribal police officer certification.

The Commission and the Tribe 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 Tribe 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 Tribe. 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 12/18/19

Printed Name: Lawrence Solomon
Title: Lummi Nation Chairman


Signature _____ Date 12-24-19

Printed Name: Robert F Wilson
Chief of Police


Signature _____ Date 11/7/20

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