

AA No. 2011-15

INTERAGENCY AGREEMENT

BETWEEN

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

AND

Nooksack Indian Tribe

THIS AGREEMENT is made and entered into by and between the WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION ("Commission") and the Nooksack Tribe ("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.

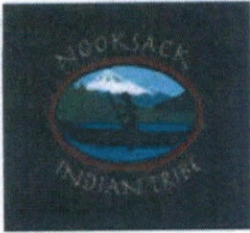
The Commission and the Tribal Agency agree that no real property will be acquired, maintained, or disposed of, as a result of this agreement.

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] June 7, 2011
Signature Date
Tribal Chair Person

[Signature] 5/16/11
Signature Date
Chief of Police

W. J. Howe 6-24-11
Signature Date
~~Dr. Michael D. Parsons~~, Executive Director
Washington State Criminal Justice Training Commission



NOOKSACK TRIBAL COUNCIL

PO Box 157
Deming, WA 98244

RESOLUTION #11-50
June 7, 2011

TITLE: Interagency Agreement between Washington State Criminal Justice Training Commission and Nooksack Indian Tribe

WHEREAS, the Nooksack Tribal Council is the governing body of the Nooksack Tribe of Indians, a recognized tribe, under the Treaty of 1855, in accordance with its Constitution and By-Laws approved by the Deputy Assistant Secretary of Indian Affairs on September 23, 1973, and in accordance with Indian Reorganization Act of June 18, 1934; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the Nooksack Indian Tribe; and

WHEREAS, the Nooksack Tribal Council has a compelling interest to provide certified Tribal Law Enforcement Officers to protect our tribal citizens and community on our tribal lands; and

WHEREAS, the Nooksack Tribal Council will support to seek the certification of Tribal Law Enforcement Officers as provided in RCW 43.101.157 and 43.101.095 by Washington State Criminal Justice Training Commission; and

WHEREAS, NOW THEREFORE BE RESOLVED, that the council approves the Interagency Agreement between Washington State Criminal Justice Training Commission and the Nooksack Tribe.

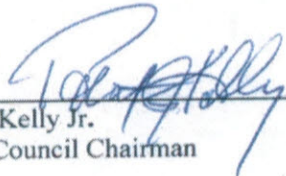
BE IT FURTHER RESOLVED THAT the Chairman (or Vice-Chairman in his absence) is hereby authorized and directed to execute this resolution and any documents connected here within, and the Secretary is authorized and directed to execute the following certification.

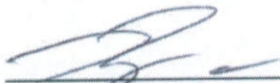
CERTIFICATION

I hereby certify that the above resolution was duly enacted by the Nooksack Tribal Council by a vote/telephone vote of the members held on , 2011 on the Nooksack Indian Reservation, at which time a quorum was polled. The resolution was approved by a vote of:

7 FOR, 0 AGAINST, and 0 ABSTENTIONS.

ATTEST:


Robert Kelly Jr.
Tribal Council Chairman


Rudy St. Germain
Tribal Council Secretary

Resolution #11-50
Page 1 of 1

(E)

Agenda Topic Overview

Topic: Certification of Tribal Officers by Wa State Criminal Justice Training Commission	Contact: James Lynch
Date of Presentation: May	
Issue Statement: Resolution for agreement between Wa State and NIT	
Background: This agreement will allow NIT Police Officers to seek certification as Tribal Law Enforcement Officers as provided in RCW 43.101.157 and 43.101.095. Specifically, the NIT Police Department will insure that officers meet state standards for employing and retaining police officers. Officers will have polygraph examinations, psychological evaluations and background checks on file with NIT PD. Each officer, after meeting the standard, will apply for certification with the Wa State Criminal Justice Training Commission. The financial impact will be for the expense of psychological evaluations for three officers. (\$1,200).	
Analysis and Options: This certification will allow the NIT Police to apply for Wa State Law Enforcement Commissions.	
Staff Proposal: Recommend Approval	
Action Required: <input checked="" type="checkbox"/> NITC Review <input checked="" type="checkbox"/> NITC Recommendation <input type="checkbox"/> Other	

(E)

Nooksack Indian Tribe Signature Form
Please Review Upon Completion Sign and Forward to the Next Person Listed.
Routing for Chairman's Signature

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION
and Nooksack Indian Tribe X

DATE: Tuesday, May 10, 2011

- TO:**
1. Program Director: Jim Lynch – Chief of Police
 2. Grett Hurley, Legal
 3. Jeff Meyer, CFO
 4. Nadene Rapada, Tribal Treasurer.
 5. Eric Davenport, GOVT Services Executive

Name: WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Summary of Agreement: Pursuant to RCW 43.101.157, the Tribe is voluntarily requesting certification for their police officers by the Commission. It is the purpose of the 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 tribal 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.

APPROVALS

YES, I have reviewed and approve for Signature. (Sign and Date)

1. Program Director / Jim Lynch – Chief of Police
2. Grett Hurley, Legal
3. Jeff Meyer, CFO
4. Nadene Rapada, Tribal Treasurer
5. Eric Davenport, GOVT Services Executive

Jim Lynch
Grett Hurley 5/18/11
Jeff Meyer 5/18/11
Nadene Rapada 5/18/11
Eric Davenport 5/12/11

DENIALS

I have reviewed and Do Not Approve/Accept this Grant/Contract. (Sign and Date)

1. Program Director / Jim Lynch – Chief of Police _____
2. Grett Hurley, Legal _____
3. Jeff Meyer, CFO _____
4. Nadene Rapada, Tribal Treasurer _____
5. Eric Davenport, GOVT Services Executive _____

Reason for Denial: _____

Please send back to Elouise-Administration after all of you signed. The department will get a copy once it has come back.

PLEASE KEEP THIS SHEET WITH FOJ DER C...



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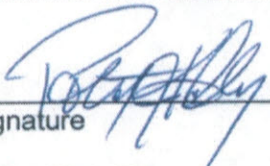
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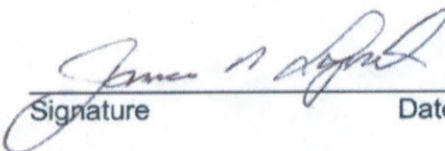
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Signature Date
Tribal Chair Person



Signature Date 5/14/11
Chief of Police

Signature Date

Dr. Michael D. Parsons, Executive Director
Washington State Criminal Justice Training Commission

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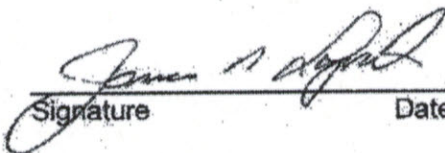
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Signature Date
Tribal Chair Person



Signature Date 5/16/11

This agreement was mutually agreed to by the parties, in writing, in May 2011. By inadvertence, the written agreement from May 2011 was not signed by all parties. The parties have mutually relied upon the prior unsigned written agreement since May 16, 2011, to include peace officer certification of tribal officers. The present written agreement is intended to be retroactive to May 16, 2011, the date that the parties understood an agreement to be in place. The parties mutually agree that the terms and conditions of this agreement apply as of May 16, 2011 and forward.



Signature Date 08/07/2013

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