



INTERAGENCY AGREEMENT

BETWEEN

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

AND

SWINOMISH TRIBAL POLICE DEPARTMENT

THIS AGREEMENT is made and entered into by and between the WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION ("Commission") and SWINOMISH TRIBAL POLICE DEPARTMENT, ("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.

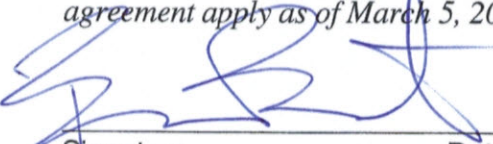
The Tribal Agency will be responsible for all costs of training related to certification pursuant to RCW 43.101.230.


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.

*This agreement was mutually agreed to by the parties, in writing, in March 2009. By inadvertence, the written agreement from March 2009 was destroyed in March 2014. The parties have mutually relied upon the prior signed written agreement since March 5, 2009, to include peace officer certification of tribal officers. The present written agreement is intended to be retroactive to March 5, 2009, 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 March 5, 2009.*

  
Signature \_\_\_\_\_ Date 6/3/14  
Swinomish Tribal Chair Person ~~Chair Person~~ Vice-Chair  
Brian Gladosby ~~Porter~~

  
Signature \_\_\_\_\_ Date 6-4-14  
Swinomish Chief of Police  
Tom J. Schlicker

  
Signature \_\_\_\_\_ Date 6/17/14  
Susan L. Rahr, Executive Director  
Washington State Criminal Justice Training Commission

**THE SWINOMISH INDIAN TRIBAL COMMUNITY  
SWINOMISH INDIAN RESERVATION**

**RESOLUTION NO. 2014-06-120**

**A Resolution Approving and Authorizing Execution and Delivery of Interagency Agreement Between the Swinomish Police Department and the Washington State Criminal Justice Training Commission for Certification of Police Officers by the Commission**

**WHEREAS**, the Swinomish Indian Tribal Community (the "Tribe") is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 476); and

**WHEREAS**, the Tribe is organized under a constitution and bylaws originally ratified by the Tribe on November 16, 1935, and approved by the Secretary of the Interior on January 27, 1936, and as most recently amended and ratified by the Tribe on September 7, 1985 and approved by the Secretary of the Interior on October 22, 1985; and

**WHEREAS**, Swinomish Indian Senate (the "Senate") is the duly enacted governing body of the Swinomish Indian Tribal Community and exercises governmental authority over all lands and waters within the Swinomish Indian Reservation; and

**WHEREAS**, the Tribe recognizes that tribal police officers who are certified by the Washington State Criminal Justice Training Commission are able to better protect the community as a result of the increased authority available to state certified tribal police officers; and

**WHEREAS**, the Washington State Criminal Justice Training Commission is authorized to certify police officers on behalf of the State of Washington; and

**WHEREAS**, the Washington State Criminal Justice Training Commission may not certify tribal police officers unless there is a written agreement between the tribal government and the Commission that requires the tribal law enforcement agency and its officers to comply with all of the requirements for granting, denying, and revoking certification; and

**WHEREAS**, in March 2009 the Swinomish Police Department and the Commission entered into an agreement similar or identical to the attached Interagency Agreement; however, such agreement was destroyed inadvertently; and

**WHEREAS**, as a result of the inadvertent destruction, the Tribe wishes to execute the attached agreement to take the place of the destroyed document; and

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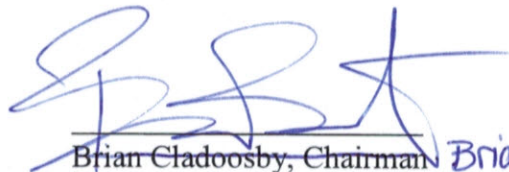
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**WHEREAS**, the Tribe also wishes the attached agreement to be retroactive to March 5, 2009, the date the original agreement was executed; and

**WHEREAS**, the Tribal Senate is authorized to take this action pursuant to Article VI, Sections 1(a), (g), and (k) of the Constitution of the Tribe approved January 27, 1936, as amended, **NOW THEREFORE**,

**BE IT RESOLVED BY THE SWINOMISH INDIAN SENATE** that the attached Interagency Agreement between the Swinomish Police Department and the Washington State Criminal Justice Training Commission for certification of police officers by the Commission is hereby approved; and

**BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE** that the Chairman or his designee, and the Chief of Police, are authorized to execute and deliver the attached Interagency Agreement between the Swinomish Police Department and the Washington State Criminal Justice Training Commission on behalf of the Tribe, or a substantially similar document approved by the Office of the Tribal Attorney.

  
Brian Cladoosby, Chairman  
Swinomish Indian Senate

  
Brian Porter,  
Vice-Chair

### CERTIFICATION

As Secretary of the Swinomish Indian Senate, I hereby certify that the foregoing Resolution was approved at Regular meeting of the Swinomish Indian Senate held on June 3, 2014, at which time a quorum was present and the resolution was passed by a vote of 2 FOR, 0 AGAINST, and 0 ABSTENTIONS.

  
Sophie Bailey, Secretary  
Swinomish Indian Senate