

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the Tribal Council has directed the Tribal Attorney to draft an ordinance providing that any assault upon a Tribal Councilmember while in session or in the conduct of Tribal Council business would constitute a criminal offense; and


WHEREAS, the Tribal Council is further directed that said proposed ordinance, attached hereto, be posted in each District for not less than ten (10) days for public comment as required by the Tribal Constitution.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Council Secretary to post in each district for a minimum of ten (10) days, the attached proposed ordinance prohibiting assault upon Tribal Councilmembers while in session or in the conduct of Tribal Council business.

The foregoing resolution was on December 12, 1990, duly adopted by a vote of ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

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DEC 18 1990

FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA

**ORDINANCE OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

BE IT ENACTED by the White Mountain Apache Tribal Council in Council assembled that the Criminal Code of the White Mountain Apache Tribe be amended as follows:

SECTION 2.3 ASSAULT:

- A. A person commits assault by:
1. Intentionally, knowingly, or recklessly causing any physical injury to another person; or
 2. Intentionally placing another person in reasonable apprehension of imminent physical injury; or
 3. Knowingly touching another person with the intent to injure, insult, or provoke such person.

B. A person found guilty under this section, may be sentenced for a period not to exceed thirty (30) days or to pay a fine not to exceed Five Hundred Dollars (\$500.00), or both, unless such assault is found to be committed pursuant to subsection C of this section.

C. A person found guilty of assaulting a member of the White Mountain Apache Tribal Council while such person is acting in their official capacity as a member of the White Mountain Apache Tribal Council, shall be fined:

(1) not more than Two Thousand Five Hundred Dollars (\$2,500.00), or imprisoned not more than six (6) months or both; and

(2) if personal injury results, shall be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned for not more than one (1) year or both.

The foregoing Ordinance No. _____ was on _____, 1990 duly adopted by a vote of _____ for and _____ against by the Tribal

Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 () of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council

Secretary of the Tribal Council

APPROVED:

Superintendent
Fort Apache Indian Agency
Whiteriver, Arizona