

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

- WHEREAS,** the Pinetop-Lakeside City Council has proposed that the White Mountain Apache Tribe enter into an Intergovernmental Agreement for law enforcement with the Pinetop-Lakeside Police force; and
- WHEREAS,** the Tribal Council has reviewed the proposed Intergovernmental Agreement (IGA); and
- WHEREAS,** a legal issue has arisen as to whether or not the City of Pinetop-Lakeside Police Department has jurisdiction outside the City limits of Pinetop-Lakeside without an express delegation of authority from the County Sheriff; and
- WHEREAS,** Tribal Council is advised that the Tribe has filed an amicus brief with the Arizona State Supreme Court involving an arrest of a Tribal member by the Pinetop-Lakeside Police on the reservation and that the circumstances surrounding the arrest indicate a lack of knowledge and respect for the sovereignty of the White Mountain Apache Tribe in that the arrest of the Tribal member took place on the reservation as a result of an alleged fresh pursuit from off-reservation but that Tribal police officers were not notified and extradition procedures were not followed by the Pinetop-Lakeside Police; and
- WHEREAS,** other reports have surfaced that Pinetop-Lakeside Police officers lack cultural sensitivity of members of the White Mountain Apache Tribe and that recent incidents between Tribal members and certain police officers of the Pinetop-Lakeside Police Department indicate that some officers from Pinetop-Lakeside may have made negative racial comments to Tribal members; and
- WHEREAS,** based on the foregoing, the Tribal Council concludes that until an investigation is completed of these incidents and jurisdictional issues, it would be premature for the Tribal Council to approve an IGA with the City of Pinetop-Lakeside; and
- WHEREAS,** the Tribal Council wishes to assure the Pinetop-Lakeside City Council that it has always enjoyed a good relationship with its City Council but that since the establishment of the Pinetop-Lakeside Police Department certain complaints are beginning to surface regarding the conduct of certain officers towards Tribal members and the Tribal Council of the White Mountain Apache Tribe respectfully request the City Council to inquire about same; and

Resolution No. 10-94-317

WHEREAS, the Tribal Council further concludes that the Tribal Legal Department should make further inquire into these incidents and to meet with the City Attorney for Pinetop-Lakeside for resolution of same.

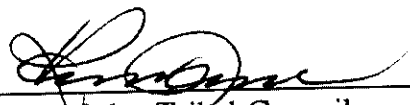
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby declines to enter into an Intergovernmental Agreement with Pinetop-Lakeside Police Department for law enforcement purposes for the reasons outlined in this resolution.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs the Tribal Legal Department to inquire further into certain incidents regarding allegations of disparaging racial remarks made to Tribal members by certain officers of the Pinetop-Lakeside Police Department

BE IT FURTHER RESOLVED by the Tribal Council that it hereby request that the Pinetop-Lakeside City Council also make inquire into these allegations and to take steps to insure the cultural sensitivity of the Pinetop-Lakeside Police Department.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby requests the City Council to instruct its Police Department to contact Tribal Police Officers wherever said officers engage in fresh pursuit of a Tribal member onto the Reservation and that Tribal Police Officers be contacted to make the arrest, that all arrestees be turned over to the Tribal Police Department and that the Pinetop-Lakeside Police Department initiate appropriate extradition procedures, if they wish to prosecute any Tribal member for alleged criminal violations that took place off Reservation.

The foregoing resolution was on October 06, 1994, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (i), (q), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council