



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

(Request to United States Attorney's Office to Advance the Investigation Regarding Crystal Bourke's Death and Make a Determination with Respect to the Prosecution so the Next of Kin can Move Forward with the Grieving Process)

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** Crystal Bourke, the daughter of Ethelene Cosen went missing on May 26, 2010. She had been out with two gentlemen but never returned home. White Mountain Apache Game and Fish Rangers, BIA and FBI Agents located her remains on June 28, 2010; and
- WHEREAS,** The two men who were last with Ms. Bourke are suspects in the investigation of Ms. Bourke's untimely death; and
- WHEREAS,** The FBI has been the lead investigating agency on this case and the United States Attorney's Office is handling the prosecution; and
- WHEREAS,** Ms. Cosen contacted FBI Agent Steve Hale several times to inquire about the status of the investigation and the location of her daughter's remains; and
- WHEREAS,** Ms. Cosen was treated disrespectfully by Mr. Hale and could not get a clear indication of where the remains were; and
- WHEREAS,** Ms. Cosen recently contacted the Assistant United States Attorney handling this matter, Demitra Samson; and
- WHEREAS,** Ms. Samson indicated the remains were with an anthropologist for examination and forensic testing; and
- WHEREAS,** The White Mountain Apache people hold sacred traditional beliefs regarding those who have passed away, specifically a traditional Wake service is an important part in the grief process; and
- WHEREAS,** The family members are committed to seeing the two suspects in this case brought to justice but agonize over the fact that they have not been able to properly grieve the loss; and
- WHEREAS,** The White Mountain Apache Tribal Council believes that enough time has passed for the federal authorities to obtain the evidence necessary to prosecute or decline to prosecute this case; and

- WHEREAS,** On behalf of the grieving family members the Tribal Council requests that a determination with respect to prosecution be made as soon as possible so that the remains may be released to the family and so they can move on in the grieving process; and
- WHEREAS,** The White Mountain Apache Tribal Council strongly suggest that FBI Agent Steve Hale's investigation and treatment of the next of kin in this case be reviewed; and
- WHEREAS,** Disrespectful and poor treatment of tribal members by agents of the federal government serve only to increase distrust and animosity and will not be tolerated by the people of the White Mountain Apache Tribe and should not acceptable to the federal government.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the United States Attorney's Office investigate the untimely death of Crystal Bourke in a timely manner and make a determination with respect to prosecution so that the Ms. Bourke's remains may be released to her family and their grieving process move forward.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the United States Attorney's Office investigate FBI Agent Steve Hale's conduct toward the next of kin and ensure that in the future member of the White Mountain Apache Tribe are treated with the respect and dignity that they deserve.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on FEBRUARY 3, 2011 duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council