



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Directing Various Departments to Develop a Community Service Plan to Support the Court's Alternative Sentencing)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(s) that the Tribal Council ("Council") shall exercise the power, "to regulate subordinate organizations..."; and

WHEREAS, During this worldwide COVID-19 pandemic, the Council has taken proactive measures to respond to, mitigate, and prevent the spread of the virus; and

WHEREAS, Among those measures have been the enactments of stay-at-home orders, a mandatory curfew, and an alcohol ban, all of which were implemented to try and prevent gatherings and transmission of this deadly disease; and

WHEREAS, Today, the Tribal Council amended Resolution No. 04-2020-86 "Instituting Stay-at-Home Order and Implementing Additional Precautionary Measures" and Resolution No. 06-2020-132 "Prohibiting All Alcohol Sales and Use on the Fort Apache Indian Reservation Until January 1, 2021 and Instituting Additional Penalties for Prohibited Sales and Use of Alcohol and Illegal Drugs" by enacting Resolution No. 02-2021-17 "Amending Penalties for Violations of Resolutions No. 04-2020-86 and 06-2020-132" which provides the Court with more discretion in its sentencing; and

WHEREAS, The Tribal Council desires to support the Court in its efforts of alternative sentencing options by directing various Tribal departments to work together with the Court when an individual is sentenced to perform community service in order to clean up the Fort Apache Indian Reservation of trash and debris; and

WHEREAS, The Council finds that such a directive is necessary and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the following entities to formulate a Community Service Plan that will support the Tribal Court, namely but not limited to: Public Works, Housing Authority, Department of Transportation, Utility Authority, Environmental Protection Office, EOC, Game and Fish, Woodland Ranger, and all other related organizations and districts.

Resolution No. 02-2021-18

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that individuals sentenced to community service shall be referred to the EOC to begin their plan of action to work off their community service.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her 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 10, 2020** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 2/22/2021  2/24/2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date