



Resolution No. 02-2006-49

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

(Authorizing Agreements with Other Jurisdictions for the Purposes of Juvenile Detention)

WHEREAS, pursuant to Section 1(a) 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, through LES Special Order 04-003, Robert Ecoffey, then Deputy Bureau Director of the Office of Law Enforcement Services, directed the removal of juvenile offenders from the White Mountain Apache Police Department's detention facility and promised that LES "will coordinate and cooperate with (WMAPD) to identify and secure alternative placement;"

WHEREAS, since March, 2005, the LES has not secured alternative placement for juvenile offenders, and the Tribe has ended up placing its juveniles with other jurisdictions; and

WHEREAS, the recently established White Mountain Apache Department of Corrections has been negotiating with other jurisdictions for placement of juvenile offenders under either intergovernmental agreements or memorandum of agreements; and

WHEREAS, funding for such detention of juvenile offenders may be available through the U.S. Department of Interior Law Enforcement Services Program; and


WHEREAS, the Tribal Council finds that temporary placement of juvenile offenders with other jurisdictions is in the best interests of offending juveniles and the Tribe.

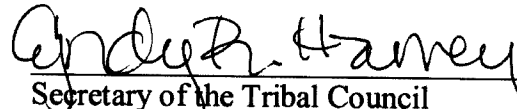
NOW THEREFORE BE IT RESOLVED by the White Mountain Apache Tribe that:

1. Agreements with other jurisdictions for the purposes of detention of juvenile offenders who are members of the Tribe are hereby authorized, subject to funding made available through the U.S. Department of Interior Law Enforcement Services program.
2. The Chairman, or in his absence the Vice-Chairman, is hereby authorized to enter into any and all agreements necessary to effectuate the intent of this Resolution.

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The foregoing resolution was on February 8, 2006, duly adopted by a vote of FIVE 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).


Chairman of the Tribal Council


Secretary of the Tribal Council