



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

(Reprimand of WMAPD Chief Raymond Burnette)


- WHEREAS,** pursuant to Article IV, 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,** pursuant to Resolution No. 11-2006-405, Ray Burnette was appointed to the position of Chief of the White Mountain Apache Police Department ("WMAPD"); and
- WHEREAS,** it has come to the attention of the Tribal Council that Chief Burnette's drivers license was suspended in November, 2006, as the result of a civil traffic complaint issued in April, 2006, and that in effect Chief Burnette was in violation of law and policy, both of which require each officer maintain a current drivers license; and
- WHEREAS,** the Executive Director of the Tribe's Division of Public Safety did issue a written reprimand to Chief Burnette, which included a suspension without pay and a mandatory attendance in an Arizona Department of Public Safety traffic course, and recommended that Chief Burnette be demoted to the position of Sergeant; and
- WHEREAS,** Chief Burnette did present a request to the Tribal Council that he continues as Chief of WMAPD, claiming that he did not receive actual notice of suspension, but only received constructive notice after the fact; and
- WHEREAS,** Raymond Burnette has served WMAPD with distinction and he remains certified by the Arizona Peace Officers Standards and Training Board (1992), federal Criminal Investigation (Glencoe, 1984), and the U.S. Bureau of Indian Affairs (Indian Police Academy, 1979); and
- WHEREAS,** the Tribal Council finds that Raymond Burnette did violate law and policy regarding maintenance of a current drivers license, but that the charges were minor civil offenses and that he did take affirmative measures to re-instate his drivers license upon receiving constructive notice; and
- WHEREAS,** the Tribal Council further concurs with the personnel actions by the Executive Director of the Division of Public Safety of a written reprimand, suspension and traffic course, subject to clearance of his driver's license record, but that Raymond Burnette should not be demoted.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:
1. Raymond Burnette may be reinstated to the position of Chief of the White Mountain Apache Police Department, subject to evidence of the clearance of Mr. Burnette's driving record from

Resolution No. 08-2007-319

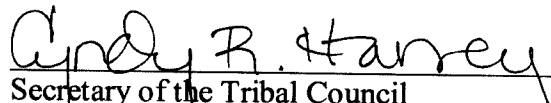
any adverse history related to the administrative suspension of his license by the State of Arizona. Said evidence must be submitted in writing to the Executive Director of the Tribe's Division of Public Safety within one week of this Resolution, and accordingly entered into Chief Burnette's personnel file.

2. The Tribal Council hereby reprimands Chief Burnette in the form of a suspension without pay for failure to maintain a current Arizona Drivers License, and further recommends attendance in an appropriate Arizona Department of Public Safety traffic course as may be available.
3. The Executive Director of the Tribe's Division of Public Safety is hereby directed to process the necessary administrative documents necessary to effectuate the intent of this Resolution, and accordingly inform the U.S. Department of Interior, Bureau of Indian Affairs of the personnel actions described herein.

The foregoing resolution was on August 20, 2007, duly adopted by a vote of FIVE for and THREE against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (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