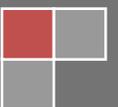




**TULALIP TRIBES
FINAL APPLICATION
QUESTIONNAIRE
FOR THE VAWA PILOT
PROJECT ON TRIBAL
CRIMINAL JURISDICTION**

**THE TULALIP TRIBES OF WASHINGTON
Office of the Reservation Attorney
6406 Marine Drive, Tulalip, WA 98271
Phone: 360 / 716-4532 - Fax: 360 / 716-0157**



Questions

The Right to Trial by an Impartial Jury

1. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe provide to the defendant the right to a trial by an impartial jury that is drawn from sources that reflect a fair cross section of the community and do not systematically exclude any distinctive group in the community, including non-Indians? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Answer: Yes, the defendant in a Special Domestic Violence Criminal Jurisdiction (SDVCJ) case has a right to a jury trial as all SDVCJ conduct applicable has the potential of a penalty that includes incarceration. Also see Exhibit 1:

4.25.030 General jurisdiction.

<http://www.codepublishing.com/wa/Tulalip/?tulalip04/Tulalip0425.html#4.25.030>

4.25.040 Special domestic violence criminal jurisdiction.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip04/Tulalip0425.html#4.25.040>

2.25.070 Rights of the defendant in a criminal proceeding.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip02/Tulalip0225.html#2.25.070>

2.05.110 Juries.

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0205.html#2.05.110>

Tulalip Tribal Court Rules Section 4.2, 4.3 and Court Rule 6 generally and 6.4.3 specifically for “Right to Jury Trial.”

http://www.tulaliptribes-nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip_Tribal_Court_Rules.pdf

**Hard copies attached: Jury Summons; Juror Questionnaire; Notice of Hardship
Tulalip Tribal Court Clerk Procedures Manual Chapter re: Jury Trials**

The Right to Effective Assistance of Counsel

2. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe provide to the defendant the right to effective assistance of counsel at least equal to that guaranteed by the United States Constitution? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Answer: Yes, see Exhibit 2:

2.25.070 Rights of the defendant in a criminal proceeding. Subsection (3)(a)

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0225.html#2.25.070>

2.05.030 General provisions. Subsection(8)

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0205.html#2.05.030>

2.25.090 Initial appearance. Subsection (1)(c)

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0225.html#2.25.090>

Tulalip Tribal Court Rule 6

<http://www.tulaliptribes->

[nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip_Tribal_Court_Rules.pdf](http://www.tulaliptribes-nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip_Tribal_Court_Rules.pdf)

The Right to Indigent Defense Counsel

3. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe provide to each indigent defendant, at no cost to the defendant, the right to the assistance of a defense attorney licensed to practice law by any jurisdiction in the United States that applies appropriate professional licensing standards and effectively ensures the competence and professional responsibility of its licensed attorneys? Please answer “Yes” or “No.” Please provide

relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Yes, a defendant is entitled to indigent defense at “all critical stages of the criminal proceedings” TTC 2.25.070 (3) (b). Also see Exhibit 3:

2.25.070 Rights of the defendant in a criminal proceeding. Subsection (3)(b)
<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0225.html#2.25.070>

2.05.030 General provisions. Subsection (10)
<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0205.html#2.05.030>

2.05.080 Tulalip Tribal Bar – Attorneys and Tribal spokespersons.
<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0205.html#2.05.080>

Tulalip Tribal Court Rule 6
http://www.tulaliptribes-nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip_Tribal_Court_Rules.pdf

**Hard copies attached: Advisements of Rights (DV).
 Indigency Application**

4. For each licensed defense attorney that the Tribe anticipates will be appointed to represent an indigent defendant in a criminal proceeding in which the Tribe will exercise SDVCJ during the Pilot Project (i.e., prior to March 7, 2015) and in which a term of imprisonment of any length may be imposed, please provide a list of all jurisdictions in which the defense attorney is licensed to practice law. Please provide a separate list of jurisdictions for each attorney (who can be identified either by name or anonymously as “Attorney 1,” “Attorney 2,” etc.).

**Attorney 1: Washington and Tulalip, Attorney 2: Washington and Tulalip,
Attorney 3: Washington and Tulalip, Attorney 4: Washington and Tulalip,
Attorney 5: Washington and Tulalip, Attorney 6: Washington and Tulalip,**

**Attorney 7: Washington and Tulalip, Attorney 8: Washington and Tulalip,
Attorney 9: Washington and Tulalip, Attorney 10: Washington and Tulalip,
Attorney 11: Washington and Tulalip, Attorney 12: Washington and Tulalip,
Attorney 13: Washington and Tulalip, Attorney 14: Washington and Tulalip,
Attorney 15: Washington and Tulalip, Attorney 16: Washington and Tulalip,
Attorney 17: Washington and Tulalip, Attorney 18: Washington and Tulalip,
Attorney 19: Washington and Tulalip, Attorney 20: Washington and Tulalip,
Attorney 21: Washington and Tulalip, Attorney 22: Washington and Tulalip,
Attorney 23: Washington and Tulalip, Attorney 24: Washington and Tulalip,
Attorney 25: Washington and Tulalip, Attorney 26: Washington and Tulalip,
Attorney 27: Washington and Tulalip, Attorney 28: Washington and Tulalip,
Attorney 29: Washington and Tulalip, Attorney 30: Washington and Tulalip,
Attorney 31: Washington and Tulalip, Attorney 32: Washington and Tulalip,
Attorney 33: Washington and Tulalip, Attorney 34: Washington and Tulalip,
Attorney 35: Washington and Tulalip, Attorney 36: Washington and Tulalip.**

The Right to a Law-Trained, Licensed Judge

5. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe provide to the defendant the right to a criminal proceeding presided over by a judge who has sufficient legal training to preside over criminal proceedings and is licensed to practice law by any jurisdiction in the United States? Please answer “Yes” or “No.” Please provide relevant legal

materials detailing the safeguards that the Tribe's criminal justice system has in place to protect this right.

Answer: Yes, see Exhibit 5:

2.05.040 Judges.

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0205.html#2.05.040>

Judges' Biographies:

<http://www.tulaliptribes-nsn.gov/Home/Government/Departments/TribalCourt/JudgesDirectorBio.aspx>

6. For each judge that the Tribe anticipates will preside over a criminal proceeding in which the Tribe will exercise SDVCJ during the Pilot Project (i.e., prior to March 7, 2015) and in which a term of imprisonment of any length may be imposed, please provide (a) a brief description of the judge's legal training to preside over criminal proceedings, and (b) a list of all jurisdictions in which that judge is licensed to practice law. Please provide a separate answer for each judge (who can be identified either by name or anonymously as "Judge 1," "Judge 2," etc.).

Answer: Yes, see Exhibit 6 :

Judges' Resumes

Quick Summary:

Judge 1: Judge and Chief Judge at Tulalip Tribal Court for 8 years and Chief Judge at Lummi Nation for 6 years, presiding over hundreds of criminal and civil cases and multiple jury trials. Admitted to practice in Washington, Tulalip, and Colville Tribal Courts. *See Exhibit 6 for resume.*

Judge 2: Judge and Chief judge at Tulalip Tribal Court for 9 years. Admitted to practice in Washington and Tulalip. Completed National Judicial College classes in criminal law, criminal procedure and evidence. Presided over hundreds of criminal and civil cases and multiple jury trials. *See Exhibit 6 for resume.*

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The Right to Publicly Available Tribal Laws and Rules

7. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe, prior to charging the defendant, make publicly available the criminal laws (including regulations and interpretative documents), rules of evidence, and rules of criminal procedure (including rules governing the recusal of judges in appropriate circumstances) of the tribal government? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Answer: Yes, see Exhibit 7:

2.05.060 Disqualification of Judges and Magistrates.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip02/Tulalip0205.html#2.05.060>

2.05.130 Rules of evidence.

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0205.html#2.05.130>

2.25 Criminal Procedures

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0225.html#2.25>

Tulalip Tribal Court Rule 4 and 6

http://www.tulaliptribes-nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip_Tribal_Court_Rules.pdf

The Right to Records of the Criminal Proceeding

8. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe maintain a record of the criminal proceeding, including an audio or other recording of the trial proceeding? Please

answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Answer: Yes, the Tulalip Tribes retains audio recordings and the file, which are accessible upon request. Also see Exhibit 8:

2.05.070 Administration of the Court.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip02/Tulalip0205.html#2.05.070>

Hard copy attached: Document Request Form, provides for copies of court record for a fee, or if an indigent defendant at no cost.

The Right to Timely Notice of Federal Habeas Corpus Rights

9. Will the Tribe provide to each person detained by order of the Tribe timely notice of the person’s rights and privileges to file in a court of the United States a petition for a writ of habeas corpus under 25 U.S.C. 1303 and a petition to stay further detention under 25 U.S.C. 1304(e)? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right to timely notice.

Answer: Yes, see Exhibit 9:

2.25.090 Initial appearance.

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0225.html#2.25.090>

4.25.040 Special domestic violence criminal jurisdiction. Subsection (3)

<http://www.codepublishing.com/wa/Tulalip/mobile/?pg=Tulalip04/Tulalip0425.html#4.25.040>

2.25.070 Rights of the defendant in a criminal proceeding. Subsection (6)

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip02/Tulalip0225.html#2.25.070>

Other Rights Protected by the Indian Civil Rights Act of 1968

10. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe provide to the defendant all applicable rights under the Indian Civil Rights Act of 1968, as

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amended, including but not limited to (a) the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, and not to be subjected to a warrant unless it was issued upon probable cause, was supported by oath or affirmation, and particularly described the place to be searched and the person or thing to be seized; (b) the right not to be twice put in jeopardy for the same offense; (c) the right not to be compelled to be a witness against himself; (d) the right to a speedy and public trial; (e) the right to be informed of the nature and cause of the accusation; (f) the right to be confronted with the witnesses against him; (g) the right to have compulsory process for obtaining witnesses in his favor; (h) the right to be free from excessive bail; (i) the right to be free from excessive fines; (j) the right against cruel and unusual punishments; (k) the right to the equal protection of the Tribe's laws; (l) the right not to be deprived of liberty or property without due process of law; (m) the right not to be subjected to an ex post facto law; and (n) the right to a trial by jury of not less than six persons? Please answer "Yes" or "No." Please provide relevant legal materials detailing the safeguards that the Tribe's criminal justice system has in place to protect these rights.

Answer: Yes, see Exhibit 10:

Tulalip Tribal Court Rules. Subsection 6: Tulalip Tribes Domestic Violence Court
[http://www.tulaliptribes-nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip Tribal Court Rules.pdf](http://www.tulaliptribes-nsn.gov/Portals/0/pdf/departments/tribal_court/Tulalip_Tribal_Court_Rules.pdf)

2.25.070 Rights of the defendant in a criminal proceeding.
<http://www.codepublishing.com/wa/Tulalip/?Tulalip02/Tulalip0225.html#2.25.070>

2.25.020 Investigative procedures.
<http://www.codepublishing.com/wa/Tulalip/?tulalip02/Tulalip0225.html#2.25.020>

2.25.030 Searches.
<http://www.codepublishing.com/WA/Tulalip/?Tulalip02/Tulalip0225.html#2.25.030>

2.25.040 Arrests.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip02/Tulalip0225.html#2.25.040>

1.20.010 Findings.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip01/Tulalip0120.html#1.20.010>

4.25.040 Special domestic violence criminal jurisdiction.

<http://www.codepublishing.com/WA/Tulalip/html/Tulalip04/Tulalip0425.html#4.25.040>

Tribal Criminal Jurisdiction

- 11.** Will the Tribe exercise SDVCJ over a defendant only for criminal conduct constituting, within the meaning of 25 U.S.C. 1304, either (a) an act of domestic violence or dating violence that occurs in the Indian country of the Tribe, or (b) an act that occurs in the Indian country of the Tribe and violates the portion of a protection order that (1) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; (2) was issued against the defendant; (3) is enforceable by the Tribe; and (4) is consistent with 18 U.S.C. 2265(b)? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Yes, see Exhibit 11:

4.25.050 Special jurisdiction – Criminal conduct applicable.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip04/Tulalip0425.html#4.25.050>

- 12.** In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe convict a non-Indian defendant at trial only if the Tribe proves that the alleged victim is an Indian?

Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Answer: Yes, see Exhibit 12:

4.25.040 Special domestic violence criminal jurisdiction.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip04/Tulalip0425.html#4.25.040>

13. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe convict a defendant at trial only if the Tribe proves that the defendant resides in the Indian country of the Tribe; is employed in the Indian country of the Tribe; or is a spouse, intimate partner, or dating partner either of a member of the Tribe or of an Indian who resides in the Indian country of the Tribe? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Answer: Yes, see Exhibit 13:

4.25.040 Special domestic violence criminal jurisdiction.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip04/Tulalip0425.html#4.25.040>

Other Considerations

14. This final question is optional. If the Tribe believes it would be helpful to the Departments of Justice and the Interior in fulfilling their statutory duties related to the Pilot Project, the Tribe may provide any additional information or relevant legal materials addressing the Tribe’s readiness to commence exercising SDVCJ on an accelerated basis while protecting defendants’ rights, consistent with 25 U.S.C. 1304. Additional

information or relevant legal materials may focus on any of the following topics: (a) the Tribe's history of compliance with the Indian Civil Rights Act of 1968, as amended;

See Exhibit 14:

4.25.040 Special domestic violence criminal jurisdiction.

<http://www.codepublishing.com/wa/Tulalip/?Tulalip04/Tulalip0425.html#4.25.040>

In a quick search of the 9th Circuit and related court's data base that included "Tulalip" and "Indian Civil Rights Act" or "ICRA" no cases were found in which it was alleged Tulalip violated someone's civil rights.

The Tulalip Appellate Court has not held that the Tribes violated anyone's civil rights as can be evidenced by review of appellate cases at:

<http://www.nics.ws/Tulalip/Tulalip.htm>

(b) The Tribe's recent history, following the 2010 enactment of 25U.S.C. 1302(b)-(c), of imposing total terms of imprisonment of more than one year;

The Tulalip Tribes has had 4 convictions as a result of 25 U.S.C. 1302 (b)-(c).

(c) The Tribe's formal or informal policies for coordinating with federal or state criminal investigators and prosecutors in cases where the Tribe may have concurrent criminal jurisdiction;

**Copies available upon request to: The Office of Reservation Attorney
Attn: Michelle Demmert, 6406 Marine Drive, Tulalip Washington 98271
or mdemmert@tulaliptribes-nsn.gov**

- **FBI/NW Washington Safe Trails Task Force Memorandum of Understanding**
- **Cooperative Law Enforcement Agreement between the Tulalip Tribes and Snohomish County**
- **Interlocal Agreement Establishing Snohomish Regional Drug & Gang Task Force (to which we are signatory)**
- **Washington Traffic Safety Commission Target Zero Teams Snohomish County DUI & Traffic Safety Task Force Memorandum of Understanding**
- **Legacy of Healing Children's Advocacy Center Authorizing Resolution and Protocol 2009 (which includes, beginning on pg. 5, MDT information.**

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(d) The Tribe's efforts to combat domestic violence and dating violence, including issuing and enforcing protection orders;

In the past five years, the Tulalip Tribal Court has had over 284 charges of domestic violence. In addition during the same time period the court had 387 filings of Protection Orders and Anti-harassment orders. During this same period, the Tribes' Legacy of Healing (DV Victims' program) has provided advocates, counselors, educators, criminal investigators and is in the process of opening a safe house.

(e) The Tribe's efforts to protect the rights and safety of victims of domestic violence and dating violence;

In addition to the provisions within our code for criminal actions and civil protection orders, we have specific provisions to strengthen and support the victims of domestic violence. Also see Exhibit 14-1:

4.25.130 Law enforcement duties to victims.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip04/Tulalip0425.html#4.25.130>

4.25.350 Communication with victim.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip04/Tulalip0425.html#4.25.350>

4.25.400 Advocates – Present during prosecution or defense interviews.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip04/Tulalip0425.html#4.25.400>

4.25.410 Victim rights.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip04/Tulalip0425.html#4.25.410>

(f) The Tribe's methods for summoning, selecting, and instructing jurors;

See Exhibit 14-2:

2.05.110 Juries.

<http://www.codepublishing.com/WA/Tulalip/?Tulalip02/Tulalip0205.html#2.05.110>

See Court Clerk Training Manual Excerpt regarding Jury Trial. See Exhibit 14.

(g) The Tribe's efforts to strengthen law enforcement, prosecution, trial and appellate courts, probation systems, detention and correctional facilities, alternative rehabilitation centers, culturally appropriate services and assistance for victims and their families, criminal codes, rules of criminal procedure, rules of appellate procedure, rules of

evidence, and the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases;

The Tulalip Tribes has a Coordinated Community Response Team (CCR), which is a group that meets regularly and consists of judges, attorneys, advocates, police officers, victims, educators, service providers and many other disciplines, to discuss relevant issues related to domestic violence with the goal of finding solutions as necessary.

(h) The Tribe's needs for training, technical assistance, data collection, and evaluation of the Tribe's criminal justice system;

The Tulalip Tribes has no need for any special training, technical assistance, data collection or evaluation beyond what it normally provides its staff and membership.

(i) The date on which the Tribe would like to commence exercising SDVCJ under the Pilot Project;

The Tulalip Tribes requests the ability to exercise SDVCJ upon Pilot Project notification approval and after the Tulalip Tribes provides Public notice of the exercise of the SDVCJ.

(j) The Tribe's plans to notify the public before commencing to exercise SDVCJ;

Our Public Affairs Office has created a plan for notifying the internal and external public. See Exhibit 14-3.

(k) Any other pertinent topic that the Tribe would like the Departments of Justice and the Interior to consider when reviewing the Tribe's Application Questionnaire.

The Tulalip Tribes would request that the Department of Justice assist in getting VAWA 2013 fully funded (\$25 Million) as the statute provides.

Certifications

The completeness and accuracy of this Application Questionnaire must be certified by (1) the chief executive officer of the Tribe (e.g., the tribal chairperson, president, governor, principal chief, or other equivalent official); (2) the chief judicial officer of the Tribe (e.g., the tribal chief justice, chief judge, or other equivalent official); (3) the chief legal officer of the Tribe (e.g., the tribal attorney general, attorney, general counsel, or other equivalent official); and (4) the person authorized by the Tribe's governing body to be the Tribe's point of contact (POC) for the Department of Justice in this application process. The POC may be either one of the three officers listed above or a fourth individual selected by the Tribe's governing body. **Each of these individuals must sign and certify the Application Questionnaire below.**

Certification of the Tribe's Chief Executive Officer

1. I am the chief executive officer of the Tulalip Tribes of Washington
2. I certify that I have read the Indian Civil Rights Act, as amended, 25 U.S.C. 1301– 1304, including the amendments made by VAWA 2013.
3. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the answers to this Application Questionnaire are complete and accurate.
4. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the criminal justice system of the Tribe has adequate safeguards in place to protect defendants' rights, consistent with 25 U.S.C. 1304.

Signature:

Date: 12/13/13

Name: Mel Sheldon

Title or Position: Chairman

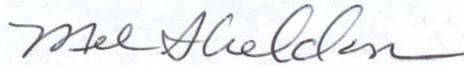
Address: 6406 Marine Drive

City/State/Zip: Tulalip, WA 98271

Phone: 360.716.4500

FAX:

E-mail: melsheldon@tulaliptribes-nsn.gov



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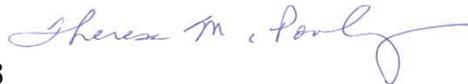
6406 Marine Drive, Tulalip, WA 98271

Phone: 360 / 716-4532 - Fax: 360 / 716-0157

Certification of the Tribe's Chief Judicial Officer

1. I am the chief judicial officer of the Tulalip Tribes of Washington
2. I certify that I have read the Indian Civil Rights Act, as amended, 25 U.S.C. 1301– 1304, including the amendments made by VAWA 2013.
3. I certify that I have read the final notice on the ‘‘Pilot Project for Tribal Jurisdiction over Crimes of Domestic Violence’’ published by the Department of Justice in the **Federal Register** on November 29, 2013.
4. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the answers to this Application Questionnaire are complete and accurate.
5. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the criminal justice system of the Tribe has adequate safeguards in place to protect defendants' rights, consistent with 25 U.S.C. 1304.

Signature:



Date: 12/19/13

Name: Theresa M. Pouley

Title or Position: Chief Judge

Address: 6103 31st Ave NE

City/State/Zip: Tulalip, WA 98271

Phone: 360.716.4770

FAX: 360.716.0657

E-mail:tpouley@tulaliptribes-nsn.gov

Certification of the Tribe's Chief Legal Officer

1. I am the chief legal officer of the Tulalip Tribes of Washington.
2. I certify that I have read the Indian Civil Rights Act, as amended, 25 U.S.C. 1301– 1304, including the amendments made by VAWA 2013.
3. I certify that I have read the final notice on the “Pilot Project for Tribal Jurisdiction over Crimes of Domestic Violence” published by the Department of Justice in the **Federal Register** on November 29, 2013.
4. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the answers to this Application Questionnaire are complete and accurate.
5. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the criminal justice system of the Tribe has adequate safeguards in place to protect defendants’ rights, consistent with 25 U.S.C. 1304.

Signature:



Date: 12/19/13

Name: Tim Brewer

Title or Position: Senior Reservation Attorney

Address: 6406 Marine Drive

City/State/Zip: Tulalip, WA 98271

Phone: 360.716.4529

FAX: 360.716.0634

E-mail:tbrewer@tulaliptribes-nsn.gov

Certification of the Tribe's Point of Contact

1. I have been authorized by the governing body of the Tulalip Tribes of Washington to serve as the Tribe's point of contact (POC) with the Department of Justice for purposes of the VAWA Pilot Project.
2. I certify that I have read the Indian Civil Rights Act, as amended, 25 U.S.C. 1301– 1304, including the amendments made by VAWA 2013.
3. I certify that I have read the final notice on the “Pilot Project for Tribal Jurisdiction over Crimes of Domestic Violence” published by the Department of Justice in the **Federal Register** on November 29, 2013.
4. I certify that, to the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, the answers to this Application Questionnaire are complete and accurate.
5. I certify that, to assist the Department of Justice in fulfilling its statutory duty to determine whether the criminal justice system of the Tribe has adequate safeguards in place to protect defendants' rights, consistent with 25 U.S.C. 1304, I will make best efforts, for the remainder of the Pilot Project's duration (i.e., prior to March 7, 2015), to promptly answer written or oral questions from the Departments of Justice and the Interior about the Tribe's criminal justice system; to promptly update any answers to this become incomplete, inaccurate, or outdated; to promptly fix any omissions in the Application Questionnaire; and to promptly submit to the Department of Justice any additions, deletions, or corrections to the Application Questionnaire.

Signature:

Date: 12/19/13

Name: Michelle Demmert



Tulalip Tribes Pilot Project Application Questionnaire 19
Office of the Reservation Attorney - The Tulalip Tribes

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