

CHAPTER 14 - OFFENSES INVOLVING TRIBAL GOVERNMENT

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Section 14-1 Bribery

14-1.01 Bribery.

Any person who shall promise, offer, or give; or cause to be promised, offered, or given; any money, property, services or other gain or advantage to any officer, employee, or representative of any Tribal organization, or to any person acting for or on behalf of any Tribal organization with corrupt intent to influence such individual in the discharge of the official duties for which the person is responsible; and any person who shall accept, solicit, or attempt to solicit, money, property, services, or other gains or advantages, as above defined, shall be deemed guilty of an offense, and upon conviction thereof shall be sentenced to a period of confinement not to exceed 6 months or ordered to pay a fine of not to exceed \$500 or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-2 Perjury

14-2.01 Perjury.

Any person who shall willfully and deliberately in any judicial proceeding in the Spokane Tribal Court falsely swear or interpret, or shall make a sworn statement or affidavit knowing the same to be untrue, or shall induce or procure another person to do so, or any Indian who shall make any false affidavit for Tribal enrollment purposes or for other Tribal purposes shall be deemed guilty of perjury and upon conviction thereof, shall be sentenced to a period of confinement not to exceed 30 days or ordered to pay a fine of not to exceed \$100 or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-3 False Arrest

14-3.01 False Arrest.

Any person who shall willfully and knowingly make or cause to be made, the unlawful arrest, detention or imprisonment of another person shall be deemed guilty of an offense and upon conviction thereof, shall be sentenced to a period of confinement not to exceed 6 months or to pay a fine of not to exceed \$500, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-4 Resisting Arrest

14-4.01 Resisting Arrest.

- (a) Any person who shall willfully and knowingly, by force or violence, resist a lawful arrest and detention of himself shall be guilty of resisting lawful arrest.
- (b) Any person who shall flee after observing the presence of law enforcement officer when he has reasonable grounds to believe that he is about to be arrested is also guilty of resisting arrest.
- (c) Upon conviction thereof, he shall be sentenced to confinement for not more than 90 days but not less than 2 days and to pay a fine of not more than \$300 but not less than \$50.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

14-4.02 Reserved.

Reserved.

14-4.03 Obstruction of Justice.

- (a) A person shall be guilty of obstruction who, under circumstances not amounting to an assault, as defined in this Code, shall:
 - (1) make a verbal or written statement to a Law Enforcement Officer or public servant, knowing the statement to be false, and intending the Officer or public servant to act on the statement; or

- (2) knowingly hinder, delay, or obstruct any Law Enforcement Officer or public servant in the discharge of the official duties of the Officer or public official; or
- (3) knowingly interfere with the lawful execution of any lawful process or mandate of any Law Enforcement Officer or public servant by:
 - (A) harboring or concealing any person; or
 - (B) warning such person(s) of impending discovery or apprehension; or
 - (C) providing a person with money, transportation or other method to avoid discovery or apprehension; or
 - (D) deception or threat that prevents a Law Enforcement Officer or public official from discovering or apprehending such person or persons, adults or juvenile.

(b) Every person who is found guilty of obstruction of justice shall be sentenced to confinement of not more than 90 days and to pay a fine of not more than \$300.

Legislative History: Readopted 08/01/06, Resolu. 2006-524; Amended 08/23/06, Resolu. 2006-556; Amended 08/19/08, Resolu. 2008-484.

14-4.04 Reserved.

Reserved.

14-4.05 Mandatory Sentence and Fine.

The minimum sentences specified in Sections 14-4.01 and 14-4.03 are mandatory.

- (a) Each sentence shall include both the confinement and the fine, and neither shall be suspended or reduced.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-5 Refusing Aid to an Officer

14-5.01 Refusing to Aid an Officer.

Any person who shall neglect or refuse, when called upon by any Tribal policeman or other law enforcement officer whose authority extends to the Spokane Reservation, to assist in the arrest of any person charged with or convicted of any offense, or in securing such offender to the nearest place or confinement shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 30 days or ordered to pay a fine of \$100, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-6 Escape

14-6.01 Escape.

Any person who being in lawful custody, for any offense, shall escape or attempt to escape or who shall permit or assist or attempt to permit or assist another person to escape from lawful custody shall be deemed

guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 6 months or ordered to pay a fine of not to exceed \$500, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-7 Disobedience to Lawful Orders of Court

14-7.01 Disobedience to Lawful Orders of Court.

Any person who shall willfully disobey any order, subpoena, warrant or command duly issued, made or given by the Spokane Tribal Court or any officer thereof, shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 90 days or ordered to pay a fine of not to exceed \$300, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-8 Misappropriation or Conversion of Tribal Property

14-8.01 Misappropriation or Conversion of Tribal Property.

- (a) Any person who embezzles, steals, or misappropriates tangible or intangible property belonging to the Spokane Tribe of Indians, to a Spokane Tribal Enterprise, or to any Spokane Tribal Organization, to their own use or to the use of another, shall be guilty of a crime.
 - (1) “Misappropriate” shall mean the improper or illegal taking of funds or property lawfully held.
- (b) Any person who, without authority, sells, conveys, or disposes of for personal gain, or for the gain of another, tangible or intangible property belonging to the Spokane Tribe of Indians, to a Spokane Tribal Enterprise, or to any Spokane Tribal Organization, shall be guilty of a crime.
- (c) Any person who knowingly converts tangible or intangible property belonging to the Spokane Tribe of Indians, to a Spokane Tribal Enterprise, or to any Spokane Tribal Organization, to their use or the use of another, shall be guilty of a crime.
 - (1) “Convert” means the improper or unauthorized use of property.
- (d) Any person convicted of a violation of this provision shall be sentenced to a period of confinement not to exceed 6 months and/or ordered to pay a fine not to exceed \$500, plus costs of prosecution and restitution.

Legislative History: Readopted 8/01/06, Resolu. 2006-524; Amended 03/12/08, Resolu 2008-211.

Section 14-9 Unlawful Garbage Disposal

14-9.01 Unlawful Garbage Disposal.

Any person who shall dispose of any garbage, litter or waste anywhere within the exterior boundaries of the Spokane Reservation except in public waste dumping areas so designated by the Spokane Tribal Council or any person who shall leave uncovered animal carcasses or who shall dispose of or dismantle automobiles

in said designated public dumping areas or other unauthorized areas shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 30 days or ordered to pay a fine of not to exceed \$100, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-10 Highway Littering

14-10.01 Highway Littering.

Any person who shall discard litter of any type from any vehicle, whether moving or stationary, while using the roads and highways within the exterior boundaries of the Spokane Reservation shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 30 days or ordered to pay a fine of not to exceed \$100, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-11 Recreation Area Littering

14-11.01 Recreation Area Littering.

Any person who maliciously breaks any article made of glass by any method within any recreational area, including the shorelines and bottoms of lakes and streams within the exterior boundaries of the Spokane Reservation shall be deemed guilty of an offense and upon conviction thereof, shall be sentenced to a period of confinement not to exceed 60 days or ordered to pay a fine of not to exceed \$200, or both jail sentence and fine, plus costs, provided, that any expense entailed by the Tribe in remedying a condition created by such act shall be assessed against such individual in addition to the other penalties.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-12 Fraudulent Bounty Claims

14-12.01 Fraudulent Bounty Claims.

Any person who shall accept a bounty payment from the Spokane Tribe for such predatory animals as have been designated for bounty payments by the Spokane Tribal Council knowing that such animal was taken from outside the exterior boundaries of the Spokane Reservation shall be deemed guilty of an offense and upon conviction thereof, shall be ordered to pay a mandatory fine of \$100.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-13 Liquor Violations

14-13.01 Liquor Violations. Deleted

Legislative History: Readopted 8/01/06, Resolu. 2006-524; Deleted 01/05/09, Resolu. 2009-101.

Section 14-14 Fish and Game Violations

14-14.01 Fish and Game Violations.

- (a) Any person who shall violate any law, rule or regulation adopted by the Spokane Tribal Council for the protection or conservation of fish and game of the Reservation shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 60 days or ordered to pay a fine of not to exceed \$200, or both fine and jail sentence, and costs.
- (b) Upon conviction, such individual may by order of the Court, lose all hunting and fishing rights for a period not to exceed 1 year.
- (c) Equipment used in the commission of such offense to a maximum value of \$500 may be confiscated and disposed of by order of the Spokane Tribal Court.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-15 Misuse of Tribal Identification Cards

14-15.01 Misuse of Tribal Identification Cards.

Any person who willfully and knowingly uses his Tribal identification card for a purpose for which such card is not intended or who loans his Tribal identification card to another person for the purpose of misrepresenting age, identity or to obtain any Tribal privilege, such person is not entitled to and any person who shall use such identification card belonging to another shall be deemed guilty of an offense and upon conviction thereof, shall be sentenced to a period of confinement not to exceed 30 days or ordered to pay a fine of not to exceed \$100, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-16 Abuse of Office

14-16.01 Abuse of Office.

- (a) Any person who shall act or purport to act for the Spokane Tribe in an official capacity, and who knowingly shall use such official or purported official capacity to commit any of the following shall be guilty of an offense:
 - (1) Influence, or attempt to influence, a public servant to violate the public servant's known legal duty or to violate any Tribal or federal law; or
 - (2) Compel or coerce, or use threats of coercion, or employ promises or threats of discipline or termination of the employment of any Tribal employee, to influence, or to attempt to influence, an enrolled Tribal member to vote or not to vote in a particular manner; or
 - (3) Subject any person to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien, or other infringement of personal or property rights without lawful authority; or
 - (4) Without lawful authority, deny, or impede any person in the exercise or enjoyment of any right, privilege, power, or immunity granted to them under color of law; or
 - (5) Intentionally subject another to sexual harassment; or

- (6) Discriminate in any manner not permitted by employment preferences on the basis of race, creed, color, sex, age, handicapped status, or national origin.
- (b) No public servant may request or receive, and no person may offer to a public servant, anything of value, benefit, or promise anything of value or benefit, that is conditioned upon or given in exchange for promised performance of an official act or failure to perform an official act. Any person who knowingly violates the provisions of this subsection shall be guilty of an offense.
- (c) Any public servant who commits an act relating to their office or employment that constitutes an unauthorized exercise of their official functions or duties, knowing that such act is unauthorized or is being committed in an unauthorized manner, or knowingly refrains from performing a duty that is imposed upon them by law, shall be guilty of an offense.
- (d) No public servant, whether currently employed or who, after resignation, discharge, termination, or retirement, knowingly shall release, divulge, or distribute, without permission of the Tribal Council, any information gained in the performance of a Tribal governmental function, unless the release, divulging, or distribution is part of the official duties of the public servant. Any public servant who releases, divulges, or distributes any information they obtained as a public servant, including both confidential and routine Tribal matters, except as part of the official duties of the public servant, shall be guilty of an offense.
- (e) Definitions:
 - (1) "Official act" means any act that is performed as a governmental function.
 - (2) "Public servant" means any Tribal officer, or officer of a Tribal enterprise or corporation, or employee of the Tribe or a Tribal enterprise or corporation, including Tribal Council members, other elected or appointed Tribal officials, or Tribal enterprise Board members; and any person contracted by the Tribe, including, by example, Tribal Judges, Tribal Attorneys, BIA employees performing Tribal functions, and any other Tribal employee or person contracted by the Tribe, who is performing a Tribal governmental function.
 - (3) "Things of value" or "benefit" means any money, property, commercial interests, or anything else evidencing economic gain, or any advantage, or anything regarded by the beneficiary as gain or advantage, including benefit to any other person or entity in whose welfare he or she may be interested or connected, but not gain or advantage promised generally to a group of individuals or to a class of individuals or voters as a part of the person's employment or public service.
- (f) Any violation of this statute shall be an act of dishonesty. Anyone convicted of violating this statute shall be removed from office or from public service, and shall be sentenced to a period of confinement not to exceed 360 days in jail and / or a fine of \$5,000.

Legislative History: Readopted 8/01/06, Resolu. 2006-524; Amended 3/07/06, Resolu. 2005-225.

Section 14-17 Unauthorized Cutting of Tribal Timber

14-17.01 Unauthorized Cutting of Tribal Timber.

Any person who shall cut any standing green timber, including Christmas trees, upon Tribal lands without first obtaining authorization from the Spokane Tribal Council shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 90 days or ordered to pay a fine of not to exceed \$300, and costs, and the Court may order that financial restitution be made by the offender to the Spokane Tribe to compensate for any damages sustained.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

14-17.02 Unauthorized Cutting and Gathering of Firewood.

- (a) Any person who shall cut and/or gather firewood on the Spokane Indian Reservation, for resale or removal from the Reservation for any reason, shall first obtain a permit from the Tribal authority.
 - (1) Such a permit shall be good for a maximum of 10 cords per year.
 - (2) Only those persons whose name appears on the permit shall cut or gather wood under this permit. Any wood cut and/or gathered to be taken off the Reservation shall be inspected and recorded by the proper authority, as designated by the Tribal Council.
- (b) Any violator of this provision shall be subject to a civil fine of a maximum of \$500, a loss of their wood, and a forfeiture of their permit.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-18 Destruction of Public Property

14-18.01 Destruction of Public Property.

Any person who mischievously or maliciously defaces or destroys any public property located within the exterior boundaries of the Spokane Reservation, such property including all property of the Spokane Tribe and of the United States government, shall be guilty of an offense and upon conviction thereof, shall be sentenced to a period of confinement not to exceed 30 days or ordered to pay a fine of not to exceed \$100, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-19 Prohibited Practices of Tribal Officials

14-19.01 Prohibited Practices of Tribal Officials.

No person serving in an official capacity for the Spokane Tribe shall use his position to procure special privileges or exemptions for himself, his spouse, child, parent, or relation by blood to the second degree and any violation of this prohibition shall be deemed an offense punishable by a period of confinement not to exceed 30 days or a fine of not to exceed \$100, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-20 Destruction of Landmarks or Navigational Aids

14-20.01 Destruction of Landmarks or Navigational Aids.

Any person who shall willfully remove, move, alter, deface or destroy any boundary marker, navigation marker or other water or landmark installed by the Spokane Tribe or the United States government within the limits of the Spokane Reservation shall be deemed guilty of an offense and upon conviction shall be sentenced to a period of confinement not to exceed 3 months or ordered to pay a fine of not to exceed \$300, or both jail sentence and fine, and costs, and may be ordered by the Court to make financial restitution to the Spokane Tribe as compensation for any damage caused by such actions.

Legislative History: ???

Section 14-21 Intimidation

14-21.01 Intimidation.

- (a) A person is guilty of intimidation if the person:
- (1) Murders, attempts to murder, or assaults another person to prevent:
 - (A) the person's attendance or testimony in any official proceeding; or
 - (B) the production of a record, document, or other object in any official proceeding.
 - (2) Threatens to use physical force, or induces another to threaten to use physical force, against any person or the property of any person with the intent:
 - (A) to influence, delay, or prevent the testimony of any person in an official proceeding; or
 - (B) to prevent the production of a record, document, or other object in any official proceeding; or
 - (C) to testify falsely or, without right or privilege to do so, to withhold any testimony; or
 - (D) to withhold from a law enforcement agency or public official, including any judicial officer, information that the person has:
 - (i) relating to the commission or possible commission of a criminal offense; or
 - (ii) relating to a violation of conditions of probation, parole, or release pending judicial proceedings.
 - (3) Threatens to use physical force or harm in any manner against any public official or voter with the intent:
 - (A) to influence or curtail the exercise of discretion by the public official or voter, or

- (B) to influence the public official to violate any public duty that has been entrusted to the public official.
- (b) Any person found guilty of intimidation shall be sentenced to a period of confinement of not less than 90 days in jail and not more than one year in jail, and to pay a fine of not less than \$1,000 and not more than \$5000, or both jail sentence and fine, and costs.
- (1) No portion of the fine or jail sentence may be served on house arrest, community labor or community service.
- (2) Any person who murders, attempts to murder, or assaults another person in violation of this provision shall be prosecuted for the act of intimidation and for the murder, attempted murder, or assault.

Legislative History: Amended xx/xx/06; Resolu. 2006-XXX; Readopted 8/01/06, Resolu. 2006-524.

Section 14-22 Desecration of Graves

14-22.01 Desecration of Graves.

Any person who shall willfully or knowingly desecrate in any manner any grave or burial ground or deface, alter or destroy any Indian painting or marks or remove, alter or destroy any Indian artifact located within the exterior boundaries of the Spokane Reservation shall be deemed guilty of an offense and upon conviction thereof, shall be sentenced to a period of confinement not to exceed 6 months or ordered to pay a fine of not to exceed \$500, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-23 Attempts

14-23.01 Attempts.

Any person committing an act with the intent to commit any Offense defined by this Code, intending to but failing to accomplish such offense, shall be deemed guilty of attempt, and unless otherwise specified in this Code upon conviction shall be punished by a fine and/or jail sentence not to exceed, as a maximum, ½ the maximum provided herein for the offense itself.

Legislative History – Readopted 8/01/06, Resolu. 2006-524.

Section 14-24 Destruction of Evidence

14-24.01 Destruction of Evidence.

Any person who shall willfully and knowingly destroy, conceal or withhold, with intent to prevent such from being used, any evidence that could be used in the trial of a case shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to a period of confinement not to exceed 90 days or ordered to pay a fine of not to exceed \$300, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-25 Desecration of Flag

Commented [O1]: Add legislative history re change of work Chapter to Code with the new resolution that repromulgates the entire Code.

14-25.01 Desecration of Flag.

Any person who shall publicly deface, alter, mutilate, defile or desecrate in any manner, including display in an unorthodox fashion, an official flag, color or design of the United States, the State of Washington, or of the Spokane Tribe shall be sentenced to a period of confinement not to exceed 10 days or ordered to pay a fine of not to exceed \$300, or both jail sentence and fine, and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-26 Violation of Tribal Code or Resolution

14-26.01 Violation of Tribal Code or Resolution.

Any Indian who violates any Code or Resolution approved and promulgated by the Spokane Tribal Council which is designated to preserve the peace and welfare of the Tribe shall be deemed guilty of an offense and upon conviction thereof shall be sentenced as provided in the Code or Resolution, provided that any non-Indian who violates any Code or Resolution approved and promulgated by the Spokane Tribe shall be subject only to the imposition of monetary civil penalties contained in any Code, and/or the initiation and completion of exclusion proceedings as set out in Chapter 21 of this Code and/or any court order issued in conformity with such Code to correct the violation of such Code, and/or such other civil remedies that are appropriate.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-27 Punishment for Violation Where Omitted

14-27.01 Punishment for Violation Where Omitted.

Where an act or omission is made or deemed an offense under this Code, or by other Codes or by Resolution of the Spokane Tribal Council, but no specific penalty is imposed, upon conviction thereof, such guilty individual shall be sentenced to a period of confinement in the Tribal jail not to exceed 90 days or ordered to pay a fine of not to exceed \$300, or both jail sentence and fine and costs.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-28 Discretion of Court

14-28.01 Discretion of Court.

- (a) A Judge of the Spokane Tribal Court shall have the discretion to impose a sentence or judgment that may include confinement, payment of fines ad costs, community service, restitution, forfeiture, and conditions of probation.
- (b) The Judge may:
 - (1) convert confinement to labor, pursuant to the RSLOC § 16-1.01;
 - (2) schedule confinement to conform to an inmate's work, family, or treatment schedule;
 - (3) convert fines to labor, pursuant to the RSLOC § 16-1.02;

- (4) permit performance of community service in the place of confinement or payment of fines;
 - (5) order the defendant to pay restitution in an amount that will reimburse the victim for any physical loss or damages;
 - (6) order that property used in the commission of the crime, and owned by the defendant, be forfeited for the sale, use, or destruction by the Tribe or other law enforcement agency; and
 - (7) establish conditions of probation relevant to the facts of the case.
- (c) Community service shall be confined to service:
- (1) solely for the benefit of the Tribe or a Tribal enterprise;
 - (2) under the direction or supervision of a probation officer;
 - (3) credit given solely for work satisfactorily completed.

Commented [JF2]: At what rate? Federal minimum wage? Stevens County? Something else? Or leave discretion to the Court?

Commented [JF3]: Is this really the intent? Limited to the government and enterprises? Also, this seems like a liability on the business end...

Legislative History: Readopted 8/01/06, Resolu. 2006-524; Amended 11/27/06, Resolu. 2006-600.

Section 14-29 Operation of Snow Vehicles by Non-Indians

14-29.01 Operation of Snow Vehicles by Non-Indians.

- (a) Non-Indians residing within the boundaries of the Spokane Reservation shall be allowed to operate snowmobiles on the Reservation provided they comply with regulations set forth herein and applicable laws of the State of Washington.
- (b) Non-Indians who are not permanent residents of the Reservation shall not be allowed to operate snowmobiles within the Reservation except by written consent of the Spokane Tribal Council or authorized representative.
- (c) The issuance of such consent shall be at the discretion of the Council and is not to be construed as invitation by the Council.
- (d) The penalty for violating this subsection shall be a fine of not to exceed \$250 or a jail sentence of 30 days, or both the jail sentence and fine.

Legislative History: Readopted 8/01/06, Resolu. 2006-524.

Section 14-30 Election Fraud

14-30.01 Election Fraud.

- (a) A person commits the crime of Election Fraud when he or she:

- (1) willfully signs the name of another person or of a fictitious person, or for any consideration, gratuity or reward shall sign his or her own name to or withdraw his or her name from any petition circulated in pursuance of any Tribal law; or
 - (2) willfully subscribe to any false statement concerning his or her age, citizenship, residence or other qualifications to sign any petition circulated in pursuance of any Tribal law; or
 - (3) knowingly uses menace, force, threat, or any unlawful means towards any voter to hinder or deter such a voter from voting, or directly or indirectly offers any bribe, reward, or any thing of value to a voter in exchange for the voter's vote for or against any person or ballot measure; or
 - (4) intentionally votes or attempts to vote more than once in any election, or who intentionally votes or attempts to vote at multiple polling locations at any election; or
 - (5) knows that he or she does not possess the legal qualifications of a voter and who votes in any election authorized by law to be held by the Tribe for any tribal office or referendum; or
 - (6) willfully completes or signs the name of another person on an absentee ballot in any election authorized by law to be held by the Tribe for any tribal office or referendum.
- (b) A person convicted of Election Fraud shall be sentenced to a maximum period of confinement of not more than one (1) year, pay a maximum fine of not more than \$5,000.00, or both, and costs.