



**PUEBLO OF PICURIS TRIBAL COUNCIL
RESOLUTION NO. 2019- 02**

**INCARCERATION COSTS NOT COVERED BY THE BUREAU OF INDIAN AFFAIRS
CONVEYED TO PRISONERS**

- WHEREAS** the Pueblo of Picuris is a Federally recognized sovereign Indian Tribe governed under a traditional form of government consisting of Governor and Tribal Council, and possessing all of the inherent powers of self-government; and
- WHEREAS** the Tribal Council has authorized the Governor of the Pueblo of Picuris, or in his absence, the Lieutenant Governor, to act for the Tribe in the signing of this Tribal Council Resolution; and
- WHEREAS** the criminal authority of the Pueblo of Picuris is vested in the Pueblo of Picuris Tribal Council, consisting of the Governor, Lieutenant Governor, Tribal Sheriff, First War Chief, Second War Captain, Third War Captain, First Fiscale, and Second Fiscale; and
- WHEREAS** the Pueblo of Picuris is contracted with the Bureau of Indian Affairs for law enforcement and pre-approved long term incarceration for criminal Defendants who plead guilty or no contest or are found guilty of violating any of the provisions of the Pueblo of Picuris Law and Order Code; and
- WHEREAS** financial responsibility for incarceration costs not contractually covered by the Bureau of Indian Affairs shall be conveyed to criminal Defendants who are sentenced to incarceration which is not pre-approved by the Bureau of Indian Affairs District Office; and
- WHEREAS** the Pueblo of Picuris does not have the financial resources to pay for non-approved incarceration of criminal Defendants; and
- WHEREAS** the Pueblo of Picuris Tribal Council hereby authorizes the Pueblo of Picuris Tribal Court to convey incarceration costs to criminal Defendants whose incarceration costs have not or were not pre-approved by the Bureau of Indian Affairs District Office at the daily rate billed to the Pueblo of Picuris; and
- WHEREAS** indigent criminal Defendants shall be required to pay incarceration costs not contractually covered by the Bureau of Indian Affairs District Office by performing community service for the Pueblo of Picuris at a rate of ten dollars (\$10.00) per hour until conveyed financial responsibility for incarceration is reimbursed in full; and

WHEREAS indigence must be clearly established by criminal Defendants with the Pueblo of Picuris Tribal Court by submitting a Request to Perform Community Service in lieu of payment of incarceration costs; and


WHEREAS indigent criminal Defendants shall be required to provide proof of monthly income and monthly financial obligations (i.e. rent, utilities, groceries, child support, water, sewer, trash) in order to qualify for community service in lieu of payment for incarceration costs;

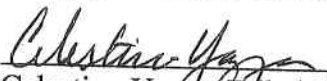
WHEREAS the Pueblo of Picuris Tribal Court shall coordinate with Pueblo of Picuris Tribal Department Supervisors for indigent criminal Defendants to perform community service in lieu of payment of incarceration costs and shall monitor, supervise and report community service hours to the Pueblo of Picuris Tribal Court for indigent criminal Defendants bi-weekly; and

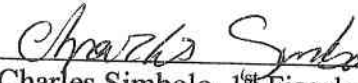
NOW THEREFORE BE IT RESOLVED that the Pueblo of Picuris Tribal Government approves the foregoing Resolution which authorizes the Pueblo of Picuris Tribal Court to convey incarceration costs to criminal Defendants whose incarceration costs have not or were not pre-approved by the Bureau of Indian Affairs District Office at the daily rate billed to the Pueblo of Picuris.

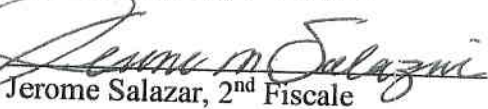
CERTIFICATION

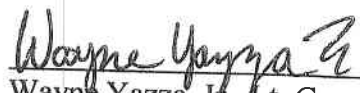
The Pueblo of Picuris Tribal Council enacted upon the foregoing Resolution on the 01 day of March, 2019, by a vote of 7 for, 0 opposed, and 1 abstained, at a duly called meeting at which a quorum of the Pueblo of Picuris Tribal Council was present.


Craig Quanchello, Governor

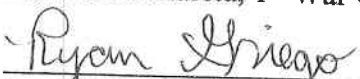

Celestino Yazza, Tribal Sheriff

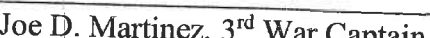

Charles Simbolo, 1st Fiscale



Jerome Salazar, 2nd Fiscale


Wayne Yazza, Jr., Lt. Governor


Manuel Archuleta, 1st War Chief


Ryan Griego, 2nd War Captain


Joe D. Martinez, 3rd War Captain

ATTEST: 
Gwen Simbolo, Tribal Secretary

Date: 03/01/19