

MEMORANDUM OF UNDERSTANDING BETWEEN THE TULALIP TRIBES, QUIL CEDA VILLAGE,
AND THE SNOHOMISH COUNTY PROSECUTOR REGARDING PROSECUTION OF CRIMES
OCCURRING WITHIN THE BOUNDARIES OF THE VILLAGE AND TULALIP INDIAN RESERVATION

RECITALS

The Snohomish County Prosecutor ("Prosecutor") has the legal authority to prosecute crimes committed by non-Indians within the geographic boundaries of Quil Ceda Village (the "Village") and the Tulalip Indian Reservation; and

Police referrals of alleged crimes to the Prosecutor's Office are reviewed for legal sufficiency by the Prosecutor's Office, and charging decisions and case disposition agreements in charged cases are made in accord with the written Charging and Disposition Standards adopted by the Prosecutor.

The Prosecutor's Office is currently understaffed, which a) causes delays in case review and prosecution of charged cases, and b) curtails communication between police and prosecutors regarding the gathering of evidence and the presentation of evidence within the bounds of the law and the court rules to ensure successful prosecutions.

The Tulalip Tribes Police Services (hereinafter the "TPD") is the primary law enforcement agency for all crimes committed on the Tulalip Indian Reservation and in the Village by Indians and non-Indians and refers criminal cases to the Prosecutor; and

The Tulalip Tribes (the "Tribes"), the Village and the Prosecutor wish to improve efficiencies between one another, promote the interests of justice, and better serve the needs of law enforcement.

UNDERSTANDING

In conformity with Section 14(c) of the Gaming Compact between the Tulalip Tribes and the State of Washington, the Tulalip Tribes plan to provide the Snohomish County Prosecutor (the "Prosecutor") an amount of \$86,866 (eighty six thousand, eight hundred sixty six dollars) annually for the purpose of funding one, full-time, entry-level prosecutor.

Upon receipt of these funds, the Prosecutor plans to hire one full-time entry-level deputy prosecutor in the District Court Unit, whose primary duties would include timely review and prosecution of legally sufficient criminal charges referred by TPD. An additional entry-level prosecutor would enable the District Court Unit to review and prosecute cases referred from the TPD in a more timely manner. Furthermore, it would allow the Prosecutor to offer quarterly training sessions or round-table discussions to TPD on topics such as gathering evidence, writing search warrant affidavits, writing reports, and testifying in court.

The Prosecutor does not anticipate declining to charge or prosecute any cases referred by the TPD solely due to case-loads, budgetary reasons, cut-backs, or other fiscal or management challenges faced by the Prosecutor.

The Prosecutor's Point of Contact ("POC") is Bob Lenz, Operations Manager for the

Prosecutor. Any questions regarding charging decisions and case disposition for charges referred by the TPD should be directed to the POC. The Tribes POC is the TPD Chief of Police.

Tulalip Tribes

By: Mel R. Sheldon Jr.
Mel R. Sheldon Jr., Tulalip Chair

Dated: 9-25-13

Quil Ceda Village

By: Marlin Fryberg, Jr.
Marlin Fryberg, Jr. President

Dated: 9-19-13

County Prosecutor

By: Mark Roe
Mark Roe