

SKOKOMISH TRIBAL ON-RESERVATION AND TREATY HUNTING ORDINANCE

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GENERAL PROVISIONS

7.03.001 Title

This Ordinance shall be known as the Skokomish Tribal On-Reservation and Treaty Hunting Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017))

7.03.002 Declaration of Policy

The Skokomish Tribal Council finds that the availability of wild game is a valuable community resource and that unregulated Hunting of game has potentially damaging consequences for the Tribal community. Accordingly, this Ordinance is enacted for the protection of the Tribal game resource. Nothing in this Ordinance shall be construed as a relinquishment, abrogation, or abridgement of any Skokomish treaty rights.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.003 Definitions

The words below shall have the meanings set forth, when those words appear in this Ordinance.

- (a) "Adult" means any person who is eighteen (18) years or older.
- (b) "Bag Limit" means the maximum number of animals which may be taken, caught, killed, or possessed by any person, specified by ordinance or regulation, for any particular period of time, and may include limits on size, sex, or species.
- (c) "Big Game" means elk or wapiti, deer, mountain goat, cougar or mountain lion, black bear, and mountain sheep or bighorn.
- (d) "Closed Area" means any place described or designated by Regulation where it is unlawful to Hunt.
- (e) "Closed Season" means all times during the entire year except those times an "Open Season" is designated by Regulation.
- (f) "Game Agent" means any person authorized by the Skokomish Tribe to enforce this Ordinance or Skokomish game Regulations.
- (g) "Game Animals" means wild animals other than "Big Game animals" and Marine Mammals that are classified by Regulation as Game Animals.
- (h) "Game Birds" means all wild birds that are classified by Regulation as Game Birds.

- (i) "Hunt" and its derivatives, "Hunting," "Hunted," etc., and "Trap" and its derivatives, "Trapping," etc., mean any effort to kill, injure, capture, or disturb a wild animal or wild bird.
- (j) "Marine Mammals" means mammals who live the majority of their lives in marine waters that are classified by Regulation as Marine Mammals.
- (k) "Muzzle-loader" means a single or double-barrel wheel lock, matchlock, flintlock or percussion rifle with exposed ignition in which the black powder and ball or bullet must be loaded from the muzzle.
- (l) "Open Season" means those times, manners of taking and areas established by Regulation for lawful Hunting. "Open Season" includes the first and last days of the established time, unless otherwise specified.
- (m) "Public Roads" means those roads maintained by the county or the State of Washington.
- (n) "Regulation" means any rule or regulation promulgated by the Skokomish Hunting Committee or the Tribal Council.
- (o) "Revocation of Hunting Privileges" means the recall of all rights and privileges granted by a Skokomish Tribal Game Permit and the loss of eligibility to apply for a Skokomish Tribal Game Permit, for the duration specified by this Ordinance.
- (p) "Skokomish Tribal Member" or "Member" means an enrolled member of the Skokomish Tribe.
- (q) "Tribal Ceremonies" means 1) religious ceremonies and 2) other ceremonies and functions which are held by or for the Skokomish Tribal community. Examples include but are not limited to Point No Point Treaty Day, Veterans Day, annual elders' picnic, and community dinners honoring elders.
- (r) "Tribal Council" means the Skokomish Tribal Council.
- (s) "Tag" means a card, label or other identification device issued for attachment to the carcass of any game animal.
- (t) "Tribe" or "Tribal" means the Skokomish Indian Tribe.
- (u) "Wildlife" means all species of the animal kingdom whose members exist within the jurisdiction of the Skokomish Tribe, except fish and domesticated animals.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.004 Jurisdiction

- (a) Territory: The provisions of this Ordinance and all rules and Regulations

adopted under it shall apply to the full extent of the sovereign jurisdiction of the Skokomish Tribe, the Tribe's usual and accustomed grounds and stations, and within all open and unclaimed lands as provided in the Treaty of Point No Point.

- (b) Persons: The provisions of this Ordinance apply to all persons purporting to exercise Hunting rights secured to the Skokomish Tribe by the Treaty of Point No Point, and to all persons Hunting within the exterior boundaries of the Skokomish Reservation to the fullest extent permissible under applicable law.
- (c) Jurisdiction under this Ordinance shall be governed by this Section and is not limited by inconsistent provisions of other ordinances of the Skokomish Tribe unrelated to Hunting or by inconsistent court rules.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.005 Violation of 18 U.S.C. 1165

To the extent authorized by federal law, all lands within the Skokomish Indian Reservation are closed to Hunting by non-tribal members. Violators shall be:

- (a) Deemed to be Hunting on the Skokomish Indian Reservation without lawful authority or permission, as those terms are used in 18 U.S.C.1165 and, when applicable, shall be referred for federal criminal prosecution; and
- (b) Subject to a mandatory, minimum civil fine of \$100.00 and a maximum civil fine of \$1,000.00: and/or
- (c) Expelled from the Skokomish Indian Reservation.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.006 Annual Regulations

- (a) Prior to each Hunting season, the Hunting Committee shall formulate and recommend to the Tribal Council any annual and seasonal Regulations which are necessary to carry out the purposes of this Ordinance. The Regulations may establish Open Seasons, areas, closed or open to Hunting or Trapping, Bag Limits, limitations on methods of taking game, and other measures for the protection and wise harvest of game resources.
- (b) Before proposing Regulations as provided in this Section, the Hunting Committee shall make an effort to get available information on the abundance and territories of various animal species within areas of Skokomish Tribe's jurisdiction.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.007 Emergency Regulations

- (a) The Hunting Committee may make emergency changes in annual or

seasonal Hunting Regulations whenever it gets information which indicates that the changes are necessary for proper management of game resources in areas under Tribal jurisdiction.

- (b) Emergency Regulations shall take effect as soon as they are adopted or at the time specified in the Regulations. They shall remain in effect until withdrawn by the Hunting Committee until they lapse by their own terms, or until the Tribal Council withdraws them.
- (c) All emergency Regulations must be posted promptly at several public locations on the reservation and must indicate the date and hour they were adopted. No penalty shall be imposed for violation of an emergency Regulation unless 24 hours have passed since the Regulation was issued or unless the violation was served personally with a notice of the Regulation before the violation occurred.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.008 General Closure

The Skokomish Reservation is closed to Hunting of Wildlife unless specifically opened by Regulations pursuant to this Ordinance. All other areas within the Tribe's jurisdiction are closed to Hunting of Wildlife by enrolled Skokomish Members unless specifically opened by Regulations pursuant to this Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.009 Eligible Hunters

The following persons are eligible to exercise Hunting rights under the authority of this Ordinance:

- (a) Enrolled Members of the Skokomish Tribe.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.0110 Hunting for Ceremonial Use/Extreme Personal Hardship

The Hunting Committee may issue "designated hunter" permits to allow Wildlife to be bagged for funerals, Tribal Ceremonies, and in cases of extreme personal hardship. The permit shall specify the type, sex, and number of animals to be Hunted, and any other conditions the Committee attaches. Permits under this Section may be issued for use during a Closed Season. The Hunting Committee shall authorize a "designated hunter" to receive the permit. Requests for permits under this Section must be submitted in writing to the Hunting Committee. The writing requirements may be waived for applications to Hunt for funeral purposes due to the limited time available.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.011 Hunting for Another

The Hunting Committee may issue permits to allow a "designated hunter" to Hunt for another Member of the Skokomish Tribe. The Hunting of Elk by a designated hunter on behalf of an individual is not allowed. The Hunting Committee may authorize designated hunters to harvest Elk for ceremonial and community events. The Hunting Committee may also authorize designated hunters to harvest elk for a community store. The Hunting Committee shall be responsible for distribution of meat from the community store, based on need and relevance to the Tribe.

(Seniors age 60+ or disabled and unable to Hunt for themselves may request meat from the "community store." Those 60+ or disabled and requesting Elk from the "community store" will not be eligible for their own elk Tags. The Hunting Committee reserves the right to determine if an individual is disabled.)

The Hunting Committee may issue permits to designated hunters, on behalf of individuals, for the harvest of deer only. Requests for permits under this Section must be submitted in writing to the Hunting Committee. Requests must state why the person or family making the request is unable to Hunt for himself or themselves. All the provisions of this Ordinance and Skokomish game Regulations shall apply to Hunting under this Section. All requests under this Section must be approved by the Hunting Committee at a regularly scheduled meeting.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.014 Designated Hunter

Any Member of the Skokomish Tribe possessing a valid Skokomish Hunting permit may submit his or her name to the Hunting Committee to be considered for placement on a list of "designated hunters." The Hunting Committee shall screen applicants to determine whether they meet eligibility requirements. Eligibility requirements for designated hunters are:

- (a) Having a demonstrated Hunting ability;
- (b) Being an enrolled Member of the Skokomish Tribe;
- (c) Being at least 18 years old;
- (d) Having no Tribal Hunting conviction for the previous two years; and
- (e) Persons prohibited from carrying a firearm under Tribal, state, or federal law are not eligible.

Any person who meets the eligibility requirements may be recommended by the Hunting Committee to the Tribal Council for appointment as a designated hunter. The Tribal Council shall notify the Hunting Committee of designated hunter appointments. When the Hunting Committee grants a request under Section 7.03.011 or 7.03.012 of this Ordinance, it shall notify a designated hunter and issue the appropriate permit. The designated hunter shall comply with the terms of the permit and all other applicable laws

and Regulations.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.015 Invitational Hound Hunting

A Non-Skokomish Indian may be asked to participate in a special Invitational Hound Hunt to pursue Cougar. Recommendation for any invitational Hunt will come from the Hunting Committee with final approval from the Tribal Council. Any non-Skokomish Indian asked to participate in an Invitational Cougar Hunt will Hunt under the Regulations and Restrictions of the Skokomish Tribe and will be subject to the Skokomish Hunting Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

CIVIL VIOLATIONS

7.03.020 Hunting - Permits and Tags

Any person who fails to obtain a valid permit and Tags required by Regulation has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$1000.00.
- (c) Any person who has committed a first violation of Section 7.03.020 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.02.021 Hunting - Permit and Tags in Possession

Any person who has obtained a valid permit and Tags required by this Ordinance or Tribal Regulation but who does not have the permit and Tags in his or her possession while Hunting or transporting Wildlife, has committed a civil violation and shall be assessed:

- (a) The mandatory, minimum civil fine of \$150.00.
- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.022 Persons Barred from Obtaining a Permit and Tag

- (a) Any person who meets either of the following criteria is barred from obtaining a Hunting permit and Tags:
 - (1) Any person who is prohibited from carrying or possessing a firearm

under Tribal, state, or federal law, except as provided in subsection (d) below.

- (2) Any person who fails to pay in full all Hunting fines assessed by the Court.
- (b) It is a civil violation to obtain or attempt to obtain a permit or Tags when barred under this Section.
- (c) A person who violates this Section shall be assessed:
 - (1) A mandatory, minimum civil fine of \$250.00.
 - (2) The maximum civil fine which may be imposed is \$500.00.
- (d) ___ Any person who has been prohibited by Tribal, state, or federal law from carrying or possessing a firearm is still eligible for a Hunting permit and Tags for Hunting by means other than with a firearm (e.g., with a bow and arrow), unless that person has been prohibited by Tribal, state, or federal law from possessing any type of weapon which could be used for Hunting.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.023 Hunting During Closed Season

Any person who Hunts during a Closed Season as established by this Ordinance or by Regulation has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.
- (c) Any person who has committed a first violation of Section 7.03.023, shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.024 Possession of Wildlife Taken During a Closed Season

Any person who possesses any Wildlife killed during a Closed Season or who has otherwise taken or killed Wildlife contrary to the provisions of this Ordinance or Regulations has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed of \$1,000.00.
- (c) Any person who has committed a first violation of Section 7.03.024 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.025 Hunting in Closed Areas

Any person who Hunts within the boundaries of a Closed Area designated by this Ordinance or Regulation has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$5,000.00.
- (c) Any person who has committed a first violation of Section 7.03.025 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.026 Hunting by Unauthorized Persons

Any person who Hunts within the boundaries of the area ceded by the Skokomish Indian Tribe under Treaty of Point No Point without possessing a valid Hunting license, permits, and Tags issued by a signatory tribe to the Treaty of Point No Point or by the State of Washington, has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.027 Bag Limits

Any person who exceeds the Bag Limit set by Regulation has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.
- (c) Any person who has committed a first violation of Section 7.03.027 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.028 Reporting Bagged Game

Any person who fails to return any game Tag issued to him or her, within the time limit specified by Regulation regardless of whether an animal was harvested, and any person who fails to report the species, sex, date and location of kill shall be assessed:

- (a) A civil fine of up to \$500.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

7.03.029 Trap Inspection

Any person who fails to inspect any trap or trap line he has set and such failure results in spoilage of game, has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.030 Interference with Traps

Any person who takes Wildlife from another person's trap without permission, or springs, damages, possesses or removes another person's trap, has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.031 Wasting Big Game

Any person who kills Big Game and causes it to go to waste, has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$5,000.00.
- (c) Any person who has committed a first violation of Section 7.03.031 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.032 Wasting Game Birds or Game Animals

Any person who kills Game Birds or Game Animals or Marine Mammals and causes them to go to waste, has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$50.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

- (c) Any person who has committed a first violation of Section 7.03.032 shall have Hunting privileges revoked for not less than one year.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.033 Selling Wildlife

Any person who sells meat from Wildlife has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00, and
- (b) The maximum civil fine which may be imposed is \$5,000.00.
- (c) Any person who has committed a first violation of Section 7.03.033 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.034 Transporting Big Game without a Tag

Any person who transports a Big Game animal that they have killed without a valid Tag affixed to the animal has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.035 Transporting Loaded Firearms

Any person, except authorized law enforcement officers, who carries, transports, conveys, or possesses a shotgun or rifle containing shells or cartridges in the magazine or chamber, or a Muzzle-loading firearm loaded and capped or primed; in or on a motor vehicle has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.036 Shooting Firearms Across Public Roads

Any person, except authorized law enforcement officers, who discharges a firearm from, across or along the maintained portion of a Public Road has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$100.00.
- (2) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.037 Shooting Arrows Across Public Roads

Any person who shoots an arrow from a vehicle or shoots an arrow from, across or along the maintained portion of a Public Road has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.038 Hunting from a Vehicle

Any person who Hunts from within or upon a motor vehicle has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.039 Hunting with Artificial Light

Any person who Hunts with an artificial light has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.
- (c) Any person who has committed a first violation of Section 7.03.039 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.040 Use of Dogs

Any person accompanied by a dog while deer or elk Hunting has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$250.00.

- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.041 Hunting While Intoxicated

Any person who Hunts while under the influence of alcohol or illegal drugs has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.
- (c) Any person who has committed a first violation of Section 7.03.041 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.042 Hunting by Persons Under Age Eighteen

No person under age eighteen (18) shall Hunt unless accompanied by a parent/guardian and possess proof of completion of a course of instruction of at least six hours in safe handling of firearms, safety, conservation, and sportsmanship. Parents and guardians of children who violate this Section are responsible for the child's acts and the parents or guardians shall be assessed:

- (a) A minimum, mandatory civil fine of \$250.00. The maximum fine which may be imposed is \$500.00. The court, in its discretion, may allow the defendant to provide work for the Tribe in lieu of part of the fine as provided under Section 7.03.091 of this Ordinance. This Section shall not apply to any persons certified by the Hunting Committee to be a head of household.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.043 Shooting a Person

Any person who shoots another person while Hunting has committed a civil violation, and shall be assessed restitution to the victim or the victim's family.

- (a) Any person who has committed a first violation of Section 7.03.043 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.044 Hunting Eagles

Any person who kills, takes, catches, or possesses any eagle, or eagle part, nest or egg in violation of any federal statute passed for the protection of eagles has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$5,000.00.
- (c) Any person who has committed a first violation of Section 7.03.044 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.045 Laying Out Bait

Any person who lays or sets out any bait, including but not limited to salt licks, to lure Wildlife other than mountain lion and black bear for Hunting and furbearers for Trapping, has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$50.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.046 Laying Out Poison

Any person who lays or sets out a drug, explosive or poison that may endanger, injure or kill Wildlife has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.047 Mutilation of Wildlife

Any person who mutilates Wildlife so that the species and sex cannot be determined visually in the field or while being transported has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.048 Shooting Livestock

Any person who shoots any domestic livestock while Hunting has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$500.00, and
- (b) The Court shall require the defendant to pay restitution to the owner of any livestock damaged.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.049 Big Game Hunting - Firearms Restrictions

- (a) No person shall Hunt Big Game with any of the following:
 - (1) A fully automatic firearm; or
 - (2) A rifle with a bore diameter less than .240 of an inch (6mm), or barrel length less than 16 inches; or
 - (3) A rifle cartridge with a bullet weighing less than 85 grains, or that develops less than 900 foot pounds of energy at 100 yards; or
 - (4) A rifle cartridge containing a bullet other than a mushrooming or expanding type, designated for Big Game Hunting; or
 - (5) A shotgun; except that a shotgun which is 20 gauge or larger, using shells loaded with slugs or buckshot size #1 or larger, may be used to Hunt deer and bear; or
 - (6) A handgun; except that a deer, bear or cougar may be Hunted with a 41 magnum, 44 magnum, 44 automatic magnum, 45 Winchester magnum; or
 - (7) A bow that possesses less than 40 pounds of pull, measured at 28 inches or less draw length; or
 - (8) Any arrows, except those having sharp broaden blade or blades at least seven-eighths inches wide. The broad head must be un-barbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width forming a smooth line toward the feather end of the shaft and such line shall not angle toward the point; or
 - (9) A crossbow.
- (b) Any person who violates this Section shall be assessed:
 - (1) A mandatory, minimum civil fine of \$250.00.
 - (2) The maximum civil fine which may be imposed is \$1,000.00 and mandatory Revocation of Hunting Privileges for one calendar year from the date of conviction.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.050 Reckless Endangerment

Any person who, through negligent or reckless conduct, places domestic livestock or another person in risk of serious physical harm has committed a civil violation, and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00 in the case of domestic livestock.
- (b) A mandatory, minimum civil fine of \$5,000.00 in the case of another person.
- (3) Any person who has committed a first violation of Section 7.03.050 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.051 Marine Mammals

- (a) It is prohibited to harass, kill, harvest or take any marine mammal except as otherwise provided by this Ordinance, Skokomish Tribal Regulation or federal law.
- (b) Marine Mammals may not be Hunted for ceremonial, subsistence, or other purposes except as provided for in annual or emergency Skokomish Hunting Regulations. No marine mammal shall be harvested except by a permit and Tag issued by the Skokomish Tribe, except as provided for in Section 7.03.051(d), (e), or (f).
- (c) A Tribal fisher in the act of fishing is allowed to deter a marine mammal from damaging fishing gear, catch, private property, or endangering personal safety, so long as such measures do not result in the death or serious injury of the marine mammal, except as provided for in Section 7.03.051(d).
- (d) A Tribal fisher in the act of fishing is allowed to deter Harbor Seals or California Sea Lions from damaging fishing gear, catch, private property, or endangering personal safety, using any lethal means, provided that all reasonable steps to deter the marine mammal using non-lethal means were first taken. Lethal take must be recorded on a marine mammal reporting card (available from the Skokomish Fisheries Office). These reporting cards must be returned to the Tribal Fisheries Office by December 15th of each year.
- (e) Tribal Members are allowed to take, kill or injure a marine mammal if it is imminently necessary in self defense or to save the life of a person in immediate danger. All such incidents shall be recorded on the marine mammal reporting card.
- (f) Marine Mammals may be killed or seriously injured as a result of a Tribal fishing operation using proper fishing gear, i.e., gear entanglement. Such cases must be reported on the marine mammal reporting card.

- (g) Marine Mammals taken under Skokomish annual emergency Hunting Regulations shall not be wasted. All carcasses shall be detained and given over to the Skokomish Fisheries Department or their designee for biological sampling, after which they may be utilized by the Tribal Hunter. Every effort shall be made to prevent wasting of carcasses of Marine Mammals taken under any of the other above provisions.
- (h) Firearms may not be discharged from a boat under power when Hunting Marine Mammals.
- (i) Any person who violates this Section shall be assessed:
 - (1) A mandatory, minimum civil fine of \$150.00.
 - (2) A mandatory, maximum civil fine of \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.052 Game Birds - Special Restrictions

- (a) No person shall Hunt Game Birds with:
 - (1) Lead shot, except grouse may be Hunted with lead shot;
 - (2) A shotgun larger than 10 gauge; or
 - (3) A rifle or pistol, with the exception of blue grouse, spruce grouse, and ruffed grouse.
- (b) Any person who violates this Section shall be assessed:
 - (1) A mandatory, minimum civil fine of \$100.00.
 - (2) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.053 Muzzle-Loading Rifles

No person shall carry or possess any Muzzle-loading rifle which does not meet the following requirements: If the rifle has a removable breech plug, such removal must require the use of tools. Minimum barrel length is 20 inches and minimum caliber is 40, such measurement to be taken from the land to land in the barrel. Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the elements. Sights must be metal. Telescopic sights or sights containing glass are prohibited. This Section shall not apply to carrying a Muzzle-loading pistol. Any person who violates this Section shall be assessed:

- (a) A mandatory, minimum civil fine of \$100.00.

- (b) The maximum civil fine which may be imposed is \$1,000.00 and mandatory Revocation of Hunting Privileges for one calendar year from date of conviction.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.054 Defacing

Any person who destroys, tears down, shoots at, defaces or erases any printed matter or sign placed or posted to assist in the enforcement of Hunting Regulations has committed a civil violation and shall be assessed:

- (1) A mandatory, minimum civil fine of \$50.00.
- (2) The maximum civil fine which may be imposed is \$150.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.055 Resisting

Any person who resists or obstructs any duly authorized Game Agent in the discharge of his duties under this Ordinance or Regulations has committed a civil violation and shall be assessed:

- (a) A minimum, mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.056 Aiding and Abetting

Any person who knowingly aids and abets another person to engage in conduct which is unlawful under this Ordinance or Regulation has committed a civil violation and shall be assessed the same civil fine as if he or she had committed the primary violation.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.057 Hunting While Privilege is Revoked

Any person who Hunts or obtains a Hunting permit while his or her Hunting privilege is revoked has committed a civil violation and shall be assessed:

- (a) A mandatory, minimum civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.
- (c) Any person who has committed a first violation of Section 7.03.057 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.058 Unauthorized Transfer of Permit, Identification or Tags Prohibited

Any person who transfers any permit, Tag or identification issued to him or her under this Ordinance or Regulations to another person for the purpose of allowing the transferee to engage in Hunting, and any person who uses any permit, Tag or identification issued to another under this Ordinance or Regulation has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.059 Violation of Regulations and Permits

- (a) Any person who fails to comply with:
 - (1) Any provisions of this Ordinance,
 - (2) Any Skokomish Hunting Regulation, or
 - (3) The terms or conditions stated on any Hunting permit or Tag,
- (b) When such failure has not been specifically designated as an offense under this Ordinance or which does not carry with it a specific penalty, has committed a civil violation and shall be assessed:
 - (1) A minimum mandatory civil fine of \$500.00.
 - (2) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017))

7.03.060 Failure to Produce Identification, Permit, and Tags to Enforcement Officers

Any person who fails to produce for examination, his or her identification and permits required by this Ordinance or Regulations, upon demand by any Tribal, state or federal enforcement officer, has committed a civil violation and shall be assessed:

- (a) A minimum mandatory fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

7.03.061 Assault

Any person who uses or threatens to use force or violence against a Game Agent or any other person has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.062 Eluding

Any person who fails to or refuses to stop after being given a visible or audible signal by a Game Agent has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.063 Escape

Any person who escapes, attempts escape or assists another to escape from lawful custody for any Hunting offense has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.064 Giving False Information To An Officer

Any person who knowingly gives false information to a Game Agent has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.065 Failure to Appear/Respond

Any person who fails to appear and respond as required by a civil citation, summons, subpoena or notice of hearing issued under this Ordinance has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$500.00.
- (b) The maximum civil fine which may be imposed is \$1,000.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.066 Interference with Wildlife Management Personnel

Any person who willfully interferes with or prevents Wildlife management personnel of the Tribe or state or federal agencies from carrying out their professional management duties has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$250.00.
- (b) The maximum civil fine which may be imposed is \$500.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.067 Animals Wrongfully Taken

If, contrary to any other section of this Ordinance, a person kills, injures, takes, captures, and/or possesses Wildlife, the following additional fines may be assessed for the purpose of compensating the Skokomish Tribal community for harm to the game resource.

- (a) A mandatory civil fine for each animal as follows:

Eagles-	\$2,500.00 - \$5,000.00
Elk-	\$2,000.00
Cougar-	\$250.00
Deer-	\$500.00
Bear-	\$500.00
Mt. Goats-	\$500.00
Game Animals-	\$50.00 Minimum to \$250.00 Maximum.
Game Birds-	\$50.00 Minimum to \$250.00 Maximum.
Swans	\$1,500.00
Marine Mammals	\$250.00 Minimum to \$500.00 Maximum

- (b) Any person who has committed a first violation of Section 7.03.067 shall have Hunting privileges revoked for not less than one year, not to exceed three years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.068 Hunting Other Than Daylight Hours

Any person who Hunts other than daylight hours, which is ½ hour before sunrise and ½ hour after sunset, has committed a civil violation and shall be assessed:

- (a) A minimum mandatory civil fine of \$100.00.
- (b) The maximum civil fine which may be imposed is \$250.00.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

ASSESSMENT OF CIVIL PENALTIES

7.03.080 Civil Fines

As unlawful Hunting harms the whole Tribal community, the penalties set forth in this Ordinance are intended to be compensatory rather than punitive. Penalties listed for each offense apply to first violations of the Ordinance. The Skokomish Tribal Court shall not suspend or reduce any minimum penalty under this Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.081 Repeat Offenders

Any person who has committed a second or subsequent violation of this Ordinance (whether the same or a different violation) within five years of the first violation shall be assessed civil penalties as follows:

- (a) A minimum, mandatory civil fine in an amount which is twice the minimum, mandatory civil fine for a first violation of that particular section of this Ordinance. The court may impose a maximum civil fine not to exceed twice the maximum civil fine for a first violation; and
- (b) Except as provided in subsection (c) below, Revocation of all Hunting Privileges for up to one year and not to exceed three years.
- (c) Any person who commits a second or subsequent violation of Sections 7.03.023, Hunting During a Closed Season; 7.03.024, Possession of Wildlife Taken in a Closed Season; 7.03.025, Hunting in Closed Areas; 7.03.027, Bag Limits; 7.03.031, Wasting Big Game, 7.03.033, Selling Wildlife; 7.03.039, Hunting with Artificial Light; 7.03.043, Shooting a Person; 7.03.044, Hunting Eagles; 7.03.049, Big Game Firearms Restrictions; 7.03.050, Reckless Endangerment; 7.03.053, Muzzle-Loading Rifles; 7.03.057, Hunting while Privileges Revoked; 7.03.067, Animals Wrongfully Taken shall be assessed the same penalty as subsection (a) above and Revocation of all Hunting privilege for not less than three years and not to exceed five years.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

CIVIL PROCEDURE

7.03.090 Purpose

The Skokomish Indian Tribe has adopted civil procedures to protect the game resource from violations under this Ordinance by all persons over whom the Tribe has jurisdiction and to provide for the fair and efficient administration of justice.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.091 Tribal Court

The Skokomish Tribal Court shall have jurisdiction over cases under this Ordinance and

Hunting Regulations. The jurisdiction of the Skokomish Tribal Court over persons and territory shall be the fullest permissible under the Constitution of the Skokomish Tribe and other laws applicable to the Skokomish Tribal Court. Rules of Court and other provisions relating to establishment and conduct of the court contained in the Fishing Ordinance and other laws of the Skokomish Tribe shall apply to the Tribal Court when exercising jurisdiction under this Ordinance, unless a provision is inconsistent with the terms of this Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.092 Game Agents

The Skokomish Tribal Council may appoint or employ one or more persons to serve as Game Agents. A Game Agent shall have the authority to enforce this Ordinance and all Hunting Regulations.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.093 Cross - Deputization

The Tribal Council may enter into an agreement with another tribe, or state, federal, or county government providing for the cross-deputization of Game Agents and/or law enforcement officers.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.094 Complaints/Citations for Civil Hunting Violations

Civil Hunting violation cases shall be started by a complaint and a notice of hearing which lists the defendant's choices for responding--both of which are filed with the Court by the Tribal Prosecutor, with copies served on the defendant. The Prosecutor's complaint shall be based on either the written report or citation of a Skokomish Tribal Game Agent, or on the affidavit(s) (signed before a notary or the Court Clerk) of any Tribal Member or any spouse of a Tribal Member who lives within the Skokomish Reservation, Skokomish Enforcement Officers, or reports from other law enforcement agencies.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.095 Statute of Limitations

No complaint shall be filed under this Ordinance after one year from the date of the commission of the violation was discovered.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.096 Notice of Hearing/Defendant's Choices for Responding

The Notice of Hearing filed with the Court by the Prosecutor shall be served on the defendant by certified mail return receipt requested, or by personal service on the defendant or on a member of the defendant's household who is at least eighteen years

old. The Notice of Hearing shall set a time for an initial hearing to be held no sooner than seven (7) nor more than ninety (90) calendar days from the date the Notice of Hearing is mailed or personally served unless the parties agree otherwise. The notice shall explain to the defendant that he or she shall either:

- (a) Pay the fine on or before the date of the initial hearing as provided under Section 7.03.097. The Prosecutor shall indicate in the notice whether the defendant is eligible to pay the fine in lieu of appearing before the Court and the amount of the fine.
- (2) Request a hearing to explain the circumstances (without contesting that he or she committed the violation). The defendant will have an opportunity at the hearing to request time payments, community service hours in lieu of 50% of the fine, or request that a fine in the lower range be imposed; or
- (3) Request a hearing to contest that he or she committed the violation.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.097 Payment of Fine in Lieu of Appearance

The defendant may pay the fine in lieu of appearing before the Court as provided in this Section. The Court shall then enter judgment that the defendant committed the violation.

A defendant may pay the fine in lieu of appearing before the Court only if the fine specified for that violation is a single, mandatory amount (not a range with a minimum and maximum fine). A second-time violator must pay twice the fine in lieu of appearing before the Court as provided under Section 7.03.081. However, a second-time violator can pay in lieu of appearing only if the amount of the fine is a single, mandatory amount and Revocation of Hunting Privileges is not required. Appearance before the Court is mandatory for third-time violators, or any violation with a penalty of Revocation of Hunting Privileges, and when the penalty is a range with a minimum and maximum fine.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.098 Rights at Hearing

The following rules apply to all civil Hunting hearings:

- (a) The proceedings shall be heard by the Court without a jury;
- (b) The defendant may be represented by a spokesperson at his or her own expense.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.099 Hearing to Explain the Circumstances

The following rules apply to those hearings where the defendant asks to explain any circumstances which might arguably lessen the amount of the fine:

- (a) The Court cannot lessen a mandatory minimum fine;

- (b) The proceeding shall be informal with appearance by the Prosecutor optional, at the Prosecutor's discretion;
- (c) The defendant cannot contest the determination that he or she committed the violation;
- (d) The Court shall determine whether the defendant's explanation justifies a fine in the lower end of the fine range;
- (e) The Court shall enter an order stating that the defendant committed the violation and assessing the civil penalties provided. The Court cannot suspend a mandatory minimum fine but may grant a request for time payments or community service under Section 7.03.101; and
- (f) The parties' right to appeal is limited to appealing sentences imposed by the Court outside the range provided in this Ordinance.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.100 Hearing to Contest the Violation

The following rules apply to hearings where the defendant contests that he or she committed the violation:

- (a) The Court shall set a hearing date no sooner than fourteen (14) nor more than sixty (60) days from the date of the initial hearing unless the parties agree otherwise.
- (b) The Tribe and the defendant have the right to subpoena witnesses;
- (c) The defendant has the right to confront and cross-examine witnesses against him or her;
- (d) The parties may present evidence and examine witnesses;
- (e) The Tribe has the burden of proving the defendant committed the violation by a preponderance of the evidence;
- (f) After hearing the evidence and arguments, the Court shall determine whether the defendant committed a violation. Where it has not been established by a preponderance of the evidence that a violation has been committed, the Court shall enter an order dismissing the action. Where it has been established that a violation has been committed, the Court shall enter an order accordingly; and
- (g) Both parties have the right to appeal.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.101 Assessment of Fines - Time Payments, Community Service

The Court does not have the authority to suspend or reduce any mandatory fine under this Ordinance. The Court may also order the defendant to perform community service hours in lieu of up to fifty percent (50%) of any fine; the balance must be paid in cash. Each hour of community service shall reduce the fine by \$4.00. The Court, in its discretion, may order a rate greater than minimum wage, if the service provided is skilled labor.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.102 Failure to Respond

If a person fails to respond or appear as required under this Ordinance, the Court shall enter an order finding that the defendant committed the violation, assess the appropriate fine and shall notify the Hunting Committee to prevent the issuance of new permits and Tags until all fines are paid.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.103 Default on Fine

If a defendant fails to pay a fine or any installment due, the Court, on its own motion or on the Tribe's motion, shall order defendant to show cause why he or she shall not be held in contempt and may issue a summons or an arrest warrant for the defendant's appearance. If good cause is shown, the Court may allow additional time for payment. This Section may be imposed in addition to any other penalty or remedy provided under this Ordinance or other laws of the Skokomish Indian Tribe.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.104 Searches With or Without Warrant

- (a) A Game Agent may search without warrant any gear, vehicle, tent, camper, or any place or premises at or near a Hunting site which the Agent has probable cause to believe contains evidence of violations of this Ordinance or of Regulations or permits issued or adopted under this Ordinance.
- (b) The Tribal Court may issue a search warrant and direct a search to be made in any place wherein it is alleged that any evidence of violation of this Ordinance or Regulations of the Tribe are concealed or kept.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.105 Seizure of Wildlife

- (a) Upon issuance of a citation, the Game Agent may seize all Wildlife and parts of Wildlife which the Agent has reasonable grounds to believe have been taken or killed by the alleged violator contrary to the provisions of this Ordinance, or any Regulations promulgated hereunder. A Game Agent may, in addition, seize any weapons or other paraphernalia (excluding the Hunter's

vehicle) which the Agent has reasonable grounds to believe has been used in the commission of a violation of this Ordinance or any Regulation promulgated hereunder.

- (b) A Game Agent who has seized Wildlife, weapons or other items pursuant to this Section shall prepare a written inventory of all items seized which shall be signed by the Game Agent and the alleged violator. When unattended gear and/or its contents are seized, the inventory shall be signed by the Game Agent. In all cases, one copy of the inventory shall be given to the alleged violator, if known, one copy filed with the Tribal Court, and one copy returned to the Skokomish Hunting Committee.
- (c) All items, other than perishable Wildlife and Wildlife parts, seized pursuant to this Section shall, as soon as practicable, be brought to the Tribal office or other place designated by the Tribe for the storage of seized property. Seized property shall be stored in such a manner as to minimize further damage to it and shall be held until disposed of pursuant to order of the Tribal Court.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.106 Return of Seized Property - Perishable

Any person who has had perishable meat seized under the authority of this Ordinance may elect to have the meat frozen and stored, if storage facilities are available, pending the outcome of court proceedings, or to have the Hunting Committee dispose of the meat for Tribal purposes. If the person is acquitted or charges are dismissed, the frozen meat shall be returned or, if the meat was disposed of by the Hunting Committee, the person shall be issued a permit to bag a replacement animal.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.107 Return of Seized Property - Non-perishable

- (a) Any person whose property has been seized under the authority of this Ordinance may apply immediately to the Tribal Court for release of said property. The Tribal Court may order immediate return of said property if the Court determines that said release is in the best interest of the Wildlife resource and is not needed as evidence. The Court shall not release weapons until the final disposition of the case and all fines are paid. The Tribal Court shall expedite all hearings requested under this Section.
- (b) If the person whose property has been seized pursuant to the Ordinance or charges against the person are dismissed, the Court shall order immediate return of the property.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.108 Forfeiture Procedures

- (a) When a person is found to have committed a violation of this Ordinance or any Regulation promulgated pursuant thereto, the Court may order forfeiture

of any items seized in connection with the violation. Forfeiture of any weapon shall be mandatory if a person is found to have committed a violation of Section 7.03.050, Reckless Endangerment; 7.03.043, Shooting a Person; 7.03.023, Hunting During Closed Season; 7.03.049, Big Game Hunting - Firearms Restrictions. The defendant shall be given the opportunity to present evidence and argument to the Tribal Court regarding why it would be inequitable to forfeit those items seized.

- (b) In all cases where the owner of items seized is unknown, the Tribal Court shall have the power to order the forfeiture of any articles so seized.
- (c) The Game Agent who makes a seizure shall immediately post at prominent public locations on the Reservation a notice describing the items and the time and place of seizure. The notice shall provide that persons wishing to claim the articles must do so within (10) days after the notice is posted.
- (d) If no one claims unmarked articles pursuant to this Ordinance within the time limit provided, the Hunting Committee may dispose of it. Any proceeds from disposition of the property shall be turned over to the Tribe.
- (e) If a person does claim unmarked articles seized by a Game Agent, the Tribal Court shall hold an expedited hearing to determine whether the property shall be returned to the owner.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.109 Disposition of Property Forfeited

In the event the Tribal Court orders forfeiture of articles seized, the articles shall be turned over to the Skokomish Hunting Committee for the use and benefit of the Tribe. Any items or proceeds not forfeited by the order of the Tribal Court shall be returned to the person from whom seized, after the completion of the case and after the fines, if any, have been paid.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

7.03.110 Severability

If any provisions of this Ordinance or its application of the provisions to other persons or legal entity or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or legal entities or circumstances shall not be affected.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

Legislative History prior to July 5, 2017

- +Adopted by Resolution No. * (August 4, 1986)
- +Amended by Resolution No. 87-22 (May 27, 1987)
- +Amended by Resolution No. * (August 22, 1987)
- +Amended by Resolution No. 89-64 (November 29, 1989)

+Amended by Resolution No. 90-63 (August 8, 1990)
Amended by Resolution No. 93-44 (July 7, 1998)
+Amended by Resolution No. 94-64 (July 19, 1994)
+Amended by Resolution No. 95-68 (July 12, 1995)
Amended by Resolution No. 95-96 (September 20, 1995)
Amended by Resolution No. 96-77 (November 13, 1996)
Amended by Resolution No. 97-75 (November 19, 1997)
+Amended by Resolution No. 98-61 (July 22, 1998)
Amended by Resolution No. 99-58 (July 14, 1999)
Amended by Resolution No. 04-104 (August 25, 2004)
Amended by Resolution No. 09-025 (February 4, 2009)
Amended by Resolution No. 11-109 (September 7, 2011)
Reaffirmed by Resolution No. 17-100 (July 5, 2017)

*These resolutions may have been among the records stored in the basement of the Tribal Center destroyed by flooding and have been reaffirmed by the Tribal Council.

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives