

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE OF NEVADA
OF THE
SUMMIT LAKE PAIUTE RESERVATION

RESOLUTION NO.: SL - 04 - 2017

TITLE: MEMORANDUM OF UNDERSTANDING NV DEPT OF PUBLIC SAFETY

WHEREAS, the Summit Lake Paiute Tribe, is organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended with the Articles of Association, approved by the Secretary of the U.S. Department of the Interior on January 8, 1965, granting certain rights of home rule to the Summit Lake Paiute Council, and a responsibility for the general welfare of its membership; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to negotiate with federal agencies like the Nevada Dept. of Public Safety/General Services Divisions and their respective departments and agencies to improve the welfare, education and safety of tribal members (see Article II, Section 1 (b), (k)); and,

WHEREAS, the State of Nevada, Dept. of Public Safety/General Services Division has been given the responsibility of the Sex Offender Registry by the United States Dept. of Justice, SMART Office for sex offenders who live work or attend school on the Summit Lake Paiute Indian Tribal land; and,

WHEREAS, the Program Office, Char Hoerth with the NV Dept. of Public Safety, General Services Division, 333 West Nye Lane, Suite 100, Carson City, NV 89706 has recommended a Memorandum of Understanding (MOA) between the Summit Lake Paiute Tribe and the Nevada Department of Public Safety/General Services Division; and,

WHEREAS, The Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006, under 42 U.S.C. 16927(b)(2)(B), permits the Tribes to enter into Cooperative agreements to carry out any function of the Tribes with respect to sex offender subject to the Tribes' jurisdiction; and

WHEREAS, the subject of this MOU is information contained in public (non-confidential information) and non-public records (confidential information) concerning convicted sex offenders collected and maintained in the SOR by NVDPS as provided by the Tribe. Such information includes personal identifying information, offense data including descriptions and codes, criminal history

information, photographs, and other offender related information required by SORNA.

WHEREAS, this MOA would authorize any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, the Summit Lake Paiute Tribe enters into a cooperative agreement with the State of Nevada to carry out the Tribes' responsibilities concerning the administration and maintenance of a sex offender database, public sex offender registry website, and community along with law enforcement notification; and,

WHEREAS, The Memorandum of Understanding (MOU) dated February 18, 2017 between the Summit Lake Paiute Tribe and the of Nevada Dept. of Public Safety/General Services Division (NVDPS) attached sets forth the conditions and responsibilities of the Parties concerning the use of the Nevada Sex Offender Registry (SORNA) by the Tribes in order to carry out the Tribes' responsibilities under SORNA.

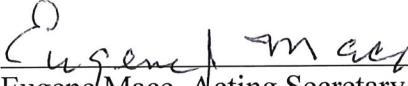
WHEREAS, the services of Nevada Dept. of Public Safety/General Services Division (NVDPS) in maintaining a sex offender registry are both necessary to the Tribes' and in the best interest of the State of Nevada; and,

THEREFORE BE IT RESOLVED, that the Summit Lake Paiute Council enters into a MOU with the Nevada Dept. of Public Safety/General Services Division to implement the Tribes' reporting requirements of the Sex Offender Registration and Notification Act (SORNA) as detailed in the attached Memorandum of Understanding.

CERTIFICATION

I, EUGENE MACE, Acting Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL-04-2017, was brought before the Summit Lake Paiute Council at a duly held meeting on the 25th day of February 2017, with a quorum present, with the following votes to enact the Resolution: 3 FOR, 0 AGAINST; and 0 ABSTAINING, with the Council Chairman presiding and not voting because there was no tie vote, and that this Resolution has not been rescinded, revoked or amended.

February 25, 2017
Date


Eugene Mace, Acting Secretary/Treasurer
Summit Lake Paiute Council