



# Spilyay Tymoo

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## Mandatory minimum sentencing proposal

Prevention and treatment are on the front line in the battle against illegal drugs and alcohol on the reservation. With prevention and treatment the tribes also enforce drug and alcohol laws on the tribal land.

The tribes' Justice Team has a draft resolution requiring mandatory minimum sentencing for drug violations of tribal criminal code. Another aspect of the resolution would be exclusion from the reservation of any non-member found in violation of the tribal drug code.

The Justice Team last week held

the first public meeting on the proposed resolution. The initial response from the public is in favor of the proposal, said Corey Clements, Justice Team member and deputy prosecutor at the Tribal Court.

In fact, community member response has prompted the Justice Team to increase the initially proposed mandatory minimum sentences. Regarding drug violations on the reservation, a paragraph in the original draft reads:

"Tribal Council amends the (tribal criminal code) provision to include a mandatory minimum

sentence of incarceration for offenders convicted of this provision to carry a) minimum 30 day sentence on first conviction; b) minimum 60 day sentence for second; and c) third and subsequent to have a minimum 90 day or more sentence..."

After the first public meeting on the proposal, Ms. Clements said, the Justice Team is suggesting doubling the minimum sentences from 30, 60 and 90 days to 60, 90 and 120 days.

The Justice Team—representing departments of the Public Safety Branch, tribal court, Health and

Human Services, Housing, IHS, elected leaders, management and other community members—will meet again this month to go over the changes to draft resolution.

The team will then meet again in January with the community members on the revised proposal.

The Justice Team first began working on the mandatory minimum sentencing resolution at the direction of Tribal Council. Various factors were involved in the Council decision.

See **SENTENCING** on 2

## Tribal Council nominations

Nominations are coming up for candidates in the spring 2019 Tribal Council election.

Wasco Chief J.R. Smith announced the evening of Wednesday, December 12 for the Agency District nominations.

The meeting will start with dinner at 6 p.m., nominations at 7 at the Agency Longhouse.

The Simnasho and Seekseequa district meetings will also be soon. Specific dates were not yet known at press time for this publication.

Listen to KWSO 91.9 FM for updates. The nominations will be for the Twenty-Eighth Tribal Council of the Confederated Tribes of Warm Springs.

## Ballot mailing planned for baseline referendum

A tribal referendum is set for February of next year, asking tribal members to vote on a change to the how blood quantum is determined for the purposes of automatic enrollment.

Ballots will be going out soon, though a specific date is not yet known. Lynn Davis, tribal Administrative Services director, was an integral part of the tribal election balloting process. Her passing in November has meant that others are working diligently to replace Ms. Davis' invaluable service during tribal elections.

The February referendum will ask specifically: 'Should Resolution 12,157 determining the blood quantum for the purpose of automatic enrollment be approved?'

In April 2016, the Twenty-Sixth Tribal Council adopted Resolution 12,157, changing the rules for determining blood quantum for automatic enrollment.

The change would be the addition of the 1980 census to the list of baseline census years for determining the Confederated Tribes blood quantum.

Warm Springs Enrollment Ordinance 94 outlines the requirements for automatic enrollment and adoption.

Currently, an individual is eligible for automatic enrollment if they have at least one-quarter of Confederated Tribes blood; that is, Warm Springs, Wasco, or Paiute.

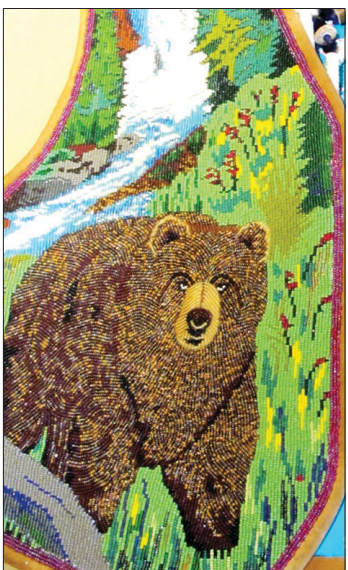
Individuals who do not meet the automatic one-quarter blood quantum requirement may get enrolled through the adoption process.

Over the decades, the baseline for determination of blood quantum has been adjusted to 1940 and 1960, with the 2019 referendum suggesting a new baseline of 1980.

## Beaded wonder at show

These images are from the beautiful and amazingly detailed beaded vest by artist Barbara Starr. The vest—it truly must be seen in person to be believed—won the Judges Choice Traditional Award at the 2018 Tribal Member Art Show at the Museum at Warm Springs.

The museum will host the Grand Opening of the 2018 show at 5:30 p.m. this Thursday evening, December 6.



## CP Enterprise pursuing new strategy

The Warm Springs Cannabis Project team—CP Enterprise—met with tribal members last week regarding a new proposal for a cannabis growing and extraction project. Community response to the presentations was very positive, said Laurie Danzuka, of CP Enterprise and Warm Springs Ventures.

Ventures was scheduled to present the plan and community response at Tribal Council this Tuesday afternoon, December 4 (after print time for this publication).

CP Enterprise and Ventures were seeking a resolution of support from Tribal Council. Funding for the project—suggested location is tribes' Schoenhagen property—would then be provided through the Carbon Sequestration program, also a Ventures-Tribal Council endeavor.

The new proposal is scaled-down from the earlier proposal, and does not involve high-THC recreational cannabis, at least not during this first phase. Instead, the

focus is on a CBD hemp product, most often used medicinally.

This product is expected to become regulated as a more standard agricultural crop early next year. This would relieve the strict regulation of the high THC recreation cannabis. Shipment across state lines, for instance, would be allowed for CBD hemp product.

Factors that led to the change in approach included the difficulty of finding an outside partner that did not make unreasonable

demands—a significant part of the revenue, for instance—the tribes would not approve. More recently, the saturation of the recreational cannabis market makes the previous proposal untenable.

Ms. Danzuka and CP Enterprise gave a summary overview of the new proposal. As stated in the overview:

"Due to changes in the market, the project has been downsized to a small start-up."

See **CP ENTERPRISE** on 2



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# Spread the Warmth



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