

PUEBLO OF SANTA ANA

PUEBLO OF SANTA ANA TRIBAL COUNCIL

RESOLUTION NO. 2023-R-05

AUTHORIZING UNIFORM CITATION TO CONSTITUTE A CRIMINAL COMPLAINT

WHEREAS, the Pueblo of Santa Ana is a federally recognized Indian tribe governed under a traditional form of government, and possessing all the inherent sovereign powers of self-government; and

WHEREAS, the Tribal Council of the Pueblo is the duly recognized decision and policy making body for the Pueblo; and

WHEREAS, by Resolution No. 88-R-15, adopted by the Tribal Council on June 30, 1988, the Tribal Council provided that any person who commits any offense covered under Chapter 66 NMSA 1978 (as it may be amended) is guilty of a criminal offense under Pueblo law;

WHEREAS, by Resolution No. 2016-R-67, adopted by the Tribal Council on November 16, 2016, the Tribal Council authorized the Santa Ana Tribal Court (Contemporary and Traditional) and the Santa Ana Police Department to use any and all offenses defined and contained in the New Mexico Statutes Annotated to charge criminal acts on Pueblo land until such time as the Pueblo adopts its own criminal code;

WHEREAS, by Resolution No. 2022-R-39, adopted on December 17, 2022, the Tribal Council formally adopted the 2022 Compilation of the Santa Ana Tribal Code, which embodies all of the laws adopted by the Tribal Council over the past 40 years, including a comprehensive traffic code; and

WHEREAS, by Resolution No. 2023-R-04, the Tribal Council delayed the effective date of a number of codes and rules, including the Traffic Code, in order to allow the Tribal Court, the Police Department, and other affected parties ample time to prepare to operate under the 2022 Compilation;

WHEREAS, there is a need in the interim period to authorize uniform traffic citations to constitute criminal complaints in the Tribal Court;


NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Pueblo of Santa Ana, as follows:

1. A uniform traffic citation, completed by Tribal and other Pueblo-commissioned officers and charging persons with offenses under Chapter 66 NMSA 1978, when issued as a notice to appear, constitutes a valid complaint in the Tribal Court.
2. This Resolution shall expire upon the effective date of the Title IX of the 2022 Compilation.
3. The Governor of the Pueblo or his designee are further authorized to do any and all things necessary to carry out the intent of this resolution.

CERTIFICATION

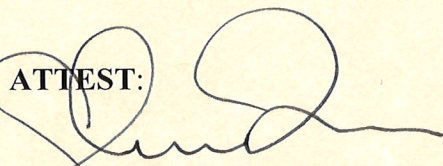
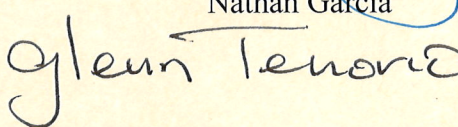
I, the undersigned, as Governor of the Pueblo of Santa Ana, hereby certify that the Pueblo of Santa Ana Tribal Council, at a duly called meeting convened on the 14th day of February, 2023, at the Pueblo of Santa Ana, at which a quorum was present, approved the foregoing Resolution, and that 17 voted for and 0 were opposed.

GOVERNOR

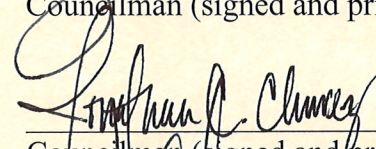
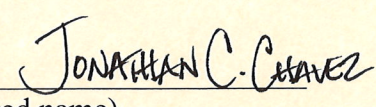


Nathan Garcia

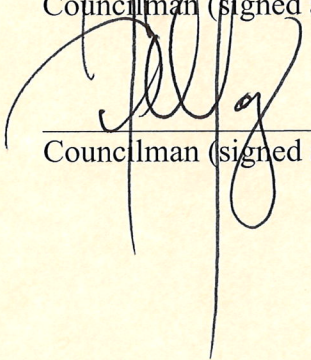
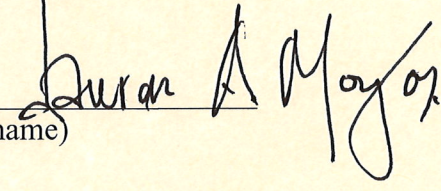
ATTEST:

Councilman (signed and printed name)

Councilman (signed and printed name)

Councilman (signed and printed name)