

**TRADITIONAL  
COUNCIL**

**CHAIRMAN**  
Juan Garza, Jr., Kisisika

**SECRETARY**  
Freddie Hernandez, Sr., Kisakodita

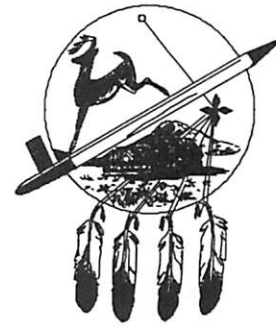
**TREASURER**  
David Treviño, Wepikaoda

**MEMBER**  
Kendall R. Scott, Sr., Metaa  
Daniel Gonzalez, Sr., Pietanakaaka

**KICKAPOO**

**TRADITIONAL  
TRIBE OF TEXAS**

2212 Rosita Valley Rd.  
Eagle Pass, Texas 78852



**Traditional Council**

**RESOLUTION No. 2020 - 034**

**RESOLUTION DULY ADOPTED BY THE KICKAPOO TRADITIONAL COUNCIL**

**REPEAL AND REPLACE CHAPTER 18, SECTION 204,  
OF THE KTTT TRIBAL PENAL CODES**

**WHEREAS,** The Kickapoo Traditional Tribe of Texas ("Tribe") is an Indian tribe organized under Section 16 of the Indian Reorganization Act of June 18, 1934, (48 Stat. 984), codified at 25 U.S.C. 476, et seq., and under the Tribal Constitution, which was approved by the United States Secretary of Interior on July 11, 1989; and

**WHEREAS,** The Traditional Council of the Tribe (the "Tribal Council") is the governing body of the Tribe as specified under Article III, Section I, of the Tribal Constitution; and

**WHEREAS,** The Tribal Council has the powers necessary to act for the Tribe and to represent the Tribe in all matters under powers vested in it by Article VII of the Tribal Constitution; and

**WHEREAS,** The Tribal Council has the power to: (a) safeguard the peace, safety, welfare, and political integrity of the Tribe by enacting appropriate resolutions or ordinances for this purpose, and to regulate and maintain law and order on lands within the Tribe's jurisdiction pursuant to Article VII, Sections (j) and (n), respectively, of the Tribal Constitution; and (b) provide for the administration of justice by establishing tribal courts, pursuant to Article VII, Section (o), of the Tribal Constitution; and

**WHEREAS,** The Tribal Council wishes, and finds it in the best interest of the Tribe, to repeal Chapter 18, Section 204, of the KTTT Tribal Penal Codes, and replace Chapter 18, Section 204, with the statute provided in substantially the form attached hereto as Exhibit A.

**NOW THEREFORE, BE IT RESOLVED**, that the Tribal Council hereby repeals and replaces Chapter 18, Section 204, of the KTTT Tribal Penal Codes, with the statute in substantially the form attached hereto as Exhibit A; and **FURTHER BE IT RESOLVED**, that the proper executive officials of the Tribe be, and they hereby severally are, authorized, empowered, and directed, for, in the name of, and on behalf of the Tribe, to enact the replacement of Chapter 18, Section 204, of the KTTT Tribal Penal Codes and all such further documents, certificates, or instruments, and to take all such further actions, as any such officer may deem necessary or desirable in order to carry out the foregoing resolutions and to fully effectuate the purposes and intents thereof, the taking of such action by such official or officials to be conclusive evidence of such authority and that all actions taken by the officers of the Tribe to date, in connection with the foregoing resolutions or otherwise, are hereby confirmed, ratified, and approved in all respects; and **FINALLY BE IT RESOLVED**, that this resolution is effective upon execution by the Tribal Council.

**ATTESTATION**

We, the undersigned members of the Tribal Council, acting in our official capacities as the governing body of the Kickapoo Traditional Tribe of Texas, certify that the above resolution is a true and accurate resolution adopted at a meeting called and conducted on **September 10, 2020** at the Kickapoo Tribal Governmental offices located at 2212 Rosita Valley Road in Eagle Pass, Texas with a quorum being present. Each signatory below indicates his vote by circling this choice on Resolution **2020-034** as follows:

[Signature]                      (FOR) / AGAINST                      9/10/2020  
Juan Garza, Jr., Council Chairman                      Date

[Signature]                      (FOR) / AGAINST                      09/10/20  
Freddie Hernandez, Sr., Council Secretary                      Date

[Signature]                      (FOR) / AGAINST                      9-10-2020  
David Treviño, Council Treasurer                      Date

[Signature]                      (FOR) / AGAINST                      9-10-2020  
Kendall R. Scott, Sr., Council Member                      Date

\_\_\_\_\_                      FOR / AGAINST                      \_\_\_\_\_  
Daniel Gonzalez, Sr., Council Member                      Date

**CERTIFICATION**

I, Freddie Hernandez, Sr., the Secretary of the Kickapoo Traditional Tribe of Texas Tribal Council, or designated agent, hereby certify that a duly called meeting of the Tribal Council was held and that Resolution **2020-034** was approved and enacted on **September 10, 2020**. The Traditional Council voted as follows:

- 4                      in favor
- (0)                      opposed
- (0)                      abstained
- 1                      absent

FREDDIE HERNANDEZ, SR., Secretary

By: [Signature] \_\_\_\_\_  
Signature  
Freddie Hernandez Sr  
Printed Name

Title: Secretary \_\_\_\_\_

Date: 09/10/2020 \_\_\_\_\_

**EXHIBIT A - KTTT Tribal Penal Codes**

**Section 18-204**

**Verbal or Written Assault**

- (a) It shall be unlawful for a person to threaten verbally or in writing to commit any offense involving violence to any person or property with intent to:
- (1) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies;
  - (2) place any person in fear of imminent serious bodily injury;
  - (3) to prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access to, place of employment or occupation, an automobile, or other form of conveyance, or other public place;
  - (4) cause impairment or interruption of public communications, public transportation, or other public service;
  - (5) place the public or a substantial group of the public in fear of serious bodily injury; or
  - (6) influence the conduct or activities of a branch or agency of the Tribal government.
- (b) Verbal or written assault shall be punishable by a fine not to exceed One Thousand Dollars, (\$1,000.00), and/or by a term of imprisonment not to exceed one (1) year.