

Public Notice: Suquamish Tribal Council- Request for Written Comments on Proposed Revisions to Suquamish Tribal Code Amendments

The Suquamish Tribal Council invites written comments on proposed revisions to the following sections of the Suquamish Tribal Code (STC):

- Chapter 3.8 Rules of Court
- Chapter 3.9 Rules of Evidence
- Chapter 5.11 Civil Protection Orders
- Chapter 6.1 Pretrial Procedure
- Chapter 6.2 Trial Procedure
- Chapter 6.3 Sentencing
- Chapter 6.5 Competency
- Chapter 7.1 Application; Jurisdiction
- Chapter 7.5 Physical Harm
- Chapter 7.13 Perjury
- Chapter 7.14 Obstructing Governmental Operation
- Chapter 7.17 Sex Crimes
- Chapter 7.19 Firearms
- Chapter 7.28 Domestic Violence
- Chapter 7.30 Stalking
- Chapter 7.31 Deferred Prosecution

Summary of Proposed Amendments:

- Chapter 3.8
The amendment of Chapter 3.8 revises sections 3.8.14 – Jury Trial, to expand the jury pool for all criminal cases, and 3.8.21 – Contempt of Court, to replace the existing contempt offense provisions with a civil contempt framework focused on willful noncompliance with court orders, including new standards and procedures for imposing fines and imprisonment. It also repeals §3.8.12 – Rules of Evidence, replacing it with a new Chapter 3.9 – Rules of Evidence, and §3.8.27 – Terms of Probation, replacing it in an expansion of Chapter 6.3 – Sentencing.
- Chapter 3.9
The proposed addition of Chapter 3.9 establishes comprehensive Rules of Evidence for proceedings before the Suquamish Tribal Court. The rules are largely modeled on established evidence rules while incorporating provisions specific to the Tribe, including self-authentication of tribal records, the admissibility of oral traditional evidence and child-hearsay.
- Chapter 5.11
The amendment of Chapter 5.11 repeals and replaces the existing 5.11 – Anti-Harassment Protection Orders, 5.12 – Domestic Violence Protection, and 5.13 – Sexual Assault Protection Orders chapters with a comprehensive 5.11 – Civil Protection Orders chapter. This revision expands available protections to include domestic violence, sexual assault, stalking, vulnerable adult, anti-harassment, and extreme risk protection orders; establishes updated jurisdictional, procedural, and enforcement provisions; and authorizes broader remedies for protected persons. The amendments also incorporate firearm surrender requirements, protections for vulnerable adults and minors, recognition of coercive control and technology-facilitated abuse, and procedures governing the issuance, modification, renewal, and enforcement of protection orders.

- Chapter 6.1

The amendments to Chapter 6.1 revise pretrial criminal procedures to provide more detailed rules governing criminal investigations, arrests, warrants, pretrial proceedings, and defendants' rights. The amendments add comprehensive provisions addressing summonses, bench warrants, investigative subpoenas, search and seizure procedures, initial appearances, arraignments, plea procedures, pretrial motions, victim rights, emergency criminal no-contact orders, and alternative court programs, while clarifying arrest authority, bail determinations, and constitutional protections afforded to defendants. The revisions also establish processes for executing outside-jurisdiction search warrants on Tribal lands, and provide greater procedural guidance for law enforcement, prosecutors, the Court, and criminal defendants.
- Chapter 6.2

The amendment of Chapter 6.2 specifies that the Tribe is replacing a brief three-section trial procedure code with a much more detailed framework governing criminal trials. The revisions add comprehensive rules for jury selection, trial procedures, defendants' rights, evidence, verdicts, and post-trial motions, creating clearer and more standardized court processes.
- Chapter 6.3

The amendment of Chapter 6.3 specifies that the Tribe is replacing a brief sentencing code with a much more detailed framework governing sentencing, probation, restitution, and post-conviction procedures. The revisions add comprehensive rules for sentencing factors, probation supervision and violations, credit for time served, restitution enforcement, and domestic violence-related convictions, creating clearer and more standardized sentencing practices.
- Chapter 6.5

The proposed addition of Chapter 6.5 establishes procedures for determining whether a criminal defendant is mentally competent to stand trial.
- Chapter 7.1

The amendment of Chapter 7.1 specifies that the Tribe is expanding and clarifying the criminal code's jurisdiction and definitions provisions. The revisions establish detailed jurisdictional authority over offenses occurring within Tribal lands and treaty-protected areas, incorporate special Tribal criminal jurisdiction authorized under federal law, and add numerous new definitions related to abuse, child violence, dependent persons, convictions, covered crimes, strangulation, suffocation, Tribal justice personnel, and other key terms to improve clarity and enforcement of the criminal code.
- Chapter 7.5

The amendment of Chapter 7.5 changes the assault statutory scheme from Assault in the First, Second, Third, and Fourth degree to Assault (gross misdemeanor) and Aggravated Assault (felony) and adds new "aggravators" to the charge. It further repeals Attempted Suicide; amends Child Abuse to be a felony and to apply only to parents, guardians, and caregivers; amends Malicious Harassment to Harassment; and adds four new crimes against children and/or dependent persons: Aggravated Criminal Mistreatment (felony), Criminal Mistreatment (gross misdemeanor), Abandoning or Endangering a Child (felony), and Exposing a Child to Domestic or Family Violence (gross misdemeanor, unless the underlying crime is a felony, in which case it is a felony).

- Chapter 7.13
This amendment expands Chapter 7.13 to include official investigations of alleged or suspected criminal conduct.
- Chapter 7.14
This amendment consolidates the Rendering Criminal Assistance provisions into a new, simplified crime of Accessory After the Fact. It consolidates Escape in the 1st, 2nd, and 3rd Degree, into a single provision for Escape. It amends Disobedience of a Lawful Court Order to the expanded crime of Criminal Contempt of Court, and creates a new crime of Obstructing Governmental Operations.
- Chapter 7.17
This amendment creates a new crime of Rape, consolidates Aggravated Sexual Abuse and Sexual Abuse into Sexual Abuse and Sexual Abuse of a Minor, Student, or Detainee, amends Abusive Sexual Contact into Sexual Assault. It further removes the “with sexual motivation” prong from Luring, adds “fabricated depictions” to §§7.17.10-7.17.12, amends Voyeurism in the 1st Degree to a felony and 2nd degree to a gross misdemeanor, decriminalizes prostitution, and adds new crimes for human trafficking and unlawful dissemination of intimate images (“revenge porn”).
- Chapter 7.19
This amendment updates and adds to definitions. It further amends multiple sections, as follows: §7.19.2 is now Armed Criminal Action, and applies to the commission or attempted commission of a felony while armed; §7.19.4 is now Possession by a Prohibited Possessor, and is amended to include all firearms and ammunition; §7.19.6 is now Sale or Possession of Machine Guns or Prohibited Weapons; §7.19.7 is amended to remove aiming and applies the crime to discharging firearms; §7.19.8 is now Pointing Firearm at Another, and increases the penalty from gross misdemeanor to felony; §7.19.11 increases the penalty from misdemeanor to gross misdemeanor; and §7.19.12 creates an exception for replacement barrels to old firearms, and increases the penalty from misdemeanor to gross misdemeanor. It also adds new crimes, as follows: §7.19.15, Trafficking of a Prohibited Weapon, felony; §7.19.16, Reckless or Malicious Use of Explosives, felony; §7.19.17, Abandonment of Explosives, gross misdemeanor; §7.19.18, Malicious Possession of a Destructive Device, felony; §7.19.19, Aggravated Possession of Explosives, felony; §7.19.20, Possession of Explosives or Destructive Devices, gross misdemeanor; and §7.19.21, Unlawful Discharge or Use of Fireworks, gross misdemeanor.
- Chapter 7.28
This amendment removes VAWA 2013 language (the new language in Chapter 7.1 fully authorizes the Tribe to exercise Special Tribal Criminal Jurisdiction), creates new and amended definitions to support code changes, creates a new crime, Violation of a No Contact Order, and creates the Suquamish version of a “Smith Affidavit,” allowing the Tribe to use prior statements of recanting witnesses as substantive evidence.
- Chapter 7.30
This amendment updates the crime of Stalking for greater specificity.
- Chapter 7.31
This chapter will be repealed. Provisions governing deferred prosecutions are incorporated into the amendments in Chapter 6.1.

How to Submit Comments:

Written comments on the proposed revisions are welcome and must be submitted by September 3, 2026.

Submit comments to:
Office of the Tribal Attorney
Re: STC Criminal Code Amendments
P.O. Box 498
Suquamish, WA 98392

Alternatively, you may email your comments with the with the subject line, STC Criminal Code Amendments Comments, to shilenegeorge@suquamish.nsn.us.

Availability of Proposed Revisions:

To review the full text of the proposed amendments, please contact the Office of the Tribal Attorney.

We encourage all interested parties to provide feedback. Please feel free to forward this notice to others who may be interested.