



**KALISPEL TRIBAL COUNCIL  
KALISPEL INDIAN RESERVATION  
USK, WASHINGTON 99180**

**MEMORANDUM:**

**TO:** KALISPEL BUSINESS COMMITTEE

**FROM:** CONNER SABIN, STAFF ATTORNEY

**SUBJECT:** CONCEALED WEAPONS PERMIT REGULATIONS

**COUNCIL ACTION:** ADOPT THE APPLICATION FOR CONCEALED WEAPONS PERMIT FOR USE BY THE KALISPEL TRIBAL COURT AND AMEND SECTION 9-5.07 OF THE KALISPEL LAW AND ORDER CODE FOR CLARITY REGARDING LOADED FIREARMS IN VEHICLES.

**MOTION:** NICK PIERRE

**SECOND:** SONNY BIGSMOKE

**COUNCIL MEMBERS**

	(YES)	VOTE (NO)	ABSTAIN
<u>Nick Pierre</u>	<u>X</u>	_____	_____
<u>Sonny Bigsmoke</u>	<u>X</u>	_____	_____
<u>Rodney Romee</u>	<u>X</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**COUNCIL ACTIONS:**

**SIGNED:** Alex Neneem

**FOR:** 3 **AGAINST:** 0

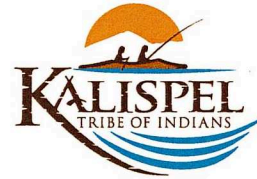
**ABSTAINED:** 0

**FOR:** 3

**AGAINST:** 0

**DATE:** 9-19-23

**KALISPEL RESOLUTION NO. 2023- 112**



P.O. Box 39  
Usk, WA 99180  
509 445-1147  
509 445-1705 fax  
[kalispeltribe.com](http://kalispeltribe.com)

**RESOLUTION**

- WHEREAS**, the Kalispel Business Committee is the duly constituted governing body of the Kalispel Tribe by the authority of the Constitution and By-Laws for the Kalispel Tribe; and
- WHEREAS**, under the Constitution and By-Laws of the Tribe, the Kalispel Business Committee is charged with the duty of protecting the health, security, and general welfare of the Kalispel Tribe and all Reservation residents; and
- WHEREAS**, the Kalispel Law and Order Code (“KLOC”) was adopted for the purpose of protecting the lives, property, culture, and natural resources of the Kalispel Tribe of Indians and the people within the boundaries of the Kalispel Reservation; and
- WHEREAS**, Section 9-5.06 of the KLOC governs the subject of Concealed Weapons; and
- WHEREAS**, the Kalispel Business Committee has identified a need to establish regulatory measures, rules, and procedures regarding the issuance of a Concealed Weapons Permit; and
- WHEREAS**, under Section 9-5.07 of the KLOC there is a lack of clarity regarding whether an individual is permitted to have a loaded firearm in their vehicle if they have been issued a Concealed Weapons Permit; and
- WHEREAS**, the Kalispel Business Committee finds the implementation of the attached Application for Concealed Weapons Permit (“Application”) will provide regulatory measures for obtaining a Concealed Weapons Permit; and
- WHEREAS**, the Kalispel Business Committee desires to amend Section 9-5.07 of the KLOC in its entirety to read as follows:

**9-5.07 LOADED FIREARM IN VEHICLE**

Any person who shall have a loaded firearm, which shall be a firearm with a cartridge in the chamber, magazine, clip or cylinder in a vehicle within the boundaries of the Kalispel Reservation shall be deemed guilty of loaded firearm in vehicle.

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**KALISPEL RESOLUTION NO. 2023-112**

A person shall not be guilty of this offense if the individual has a permit to carry a concealed weapon, and the concealed weapon is:

- (a) On the permittee's person;
- (b) The permittee is within the vehicle at all times that the concealed weapon is there; or
- (c) The permittee is away from the vehicle and the concealed weapon is locked within the vehicle and concealed from view from outside the vehicle.
- (d) This exemption is not intended to apply to any restrictions on firearms outlined in any other section of the KLOC, including prohibitions on transporting a loaded rifle or shotgun.

**THEREFORE, BE IT RESOLVED**, the Kalispel Business Committee authorizes the Kalispel Tribal Court to implement the attached Application for Concealed Weapons Permit; and

**BE IT FURTHER RESOLVED**, the Kalispel Business Committee hereby amends Section 9-5.07 of the KLOC as provided for above.

**CERTIFICATION**

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 19<sup>th</sup> day of September, 2023, at the Tribal office on the Kalispel Indian Reservation near Usk, Washington, with the required quorum present by a vote of 3 FOR and 0 AGAINST.

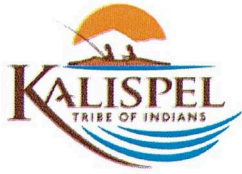


\_\_\_\_\_  
GLEN NENEMA, CHAIRMAN  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2026)



\_\_\_\_\_  
NICK PIERRE, SECRETARY  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2025)

20230919.05



KALISPEL  
TRIBAL  
COURT

**APPLICATION FOR CONCEALED WEAPONS PERMIT (CWP)**

Name		Last	First	Middle
Residence Address				
City		State		Zip Code
Mailing Address <sup>1</sup>				
City		State		Zip Code
Employer				
Driver's License Number <sup>2</sup>				Issuing State
DOB <sup>3</sup>		Birth State		Birth Country
Height		Weight		Hair Color
Eye Color		Gender		Race
SSN		Federal Firearms License/State Firearms License <sup>4</sup>		U.S issued Alien/Admissions Number <sup>5</sup>
Preferred Phone Number		Fax Number		Email Address

**Please return all completed applications and all supporting documentation to 22 Camas Flat Rd / P.O. Box 33, Cusick WA, 99119, or email an electronic version to [courtclerk@kalispeltribe.com](mailto:courtclerk@kalispeltribe.com).**

<sup>1</sup> If this address differs from that on your driver's license, you will be required to provide mail with your name and current address.

<sup>2</sup> You will be required to provide a copy of your driver's license when you apply. It may be attached separately.

<sup>3</sup> You must be 18 years of age or older to apply.

<sup>4</sup> If you are using your SFL/FFL to apply for this CWP, then you will be required to provide a copy when you apply. It may be attached separately.

<sup>5</sup> You will be required to provide a copy of your U.S. issued Alien/Admissions card, if you have been issued one, when you apply. It may be attached separately.

## QUESTIONS

**IF YOU ANSWER YES TO ANY OF THE FOLLOWING QUESTIONS, PLEASE PROVIDE YOUR EXPLANATION ON ADDITIONAL PAGES.**

1. Do you currently hold, or have you ever held, a permit or license to carry a concealed weapon?

If yes, please enter the issuing agency name, issue date and permit/license number.

Yes

No

Issuing Agency:

Issuing Date:

Permit/License Number:

2. Have you ever applied for and been denied a permit or license to carry a concealed weapon? If yes, please enter the agency name, denial date, and the reason for denial. Use Additional pages if necessary.

Yes

No

Agency Name:

Date of Denial:

Reason for Denial:

3. Have you ever held and subsequently renounced your United States citizenship?

Yes

No

If yes, please explain in the space provided at the end of application.

4. If you served in the Armed Forces, were you ever subject to any disciplinary actions? Please list any and all discipline as part of your answer.

Yes

No

If yes, please explain in the space provided at the end of application.

5. Are you now, or have you been, a party to a lawsuit in the last five years?

Yes

No

If yes, please explain in the space provided at the end of application.

6. Are you now, or have you ever been, subject to restraining orders from any court, or any order prohibiting possession of any weapon?

Yes

No

If yes, please explain in the space provided at the end of application.

7. Are you on probation or parole from any state or Tribe for conviction of any offense including traffic?

Yes

No

If yes, please explain in the space provided at the end of application.

8. List all traffic violations and motor vehicle accidents you have had in the last five years. Include the agency citation number, the dates of the violations, and any other relevant information. Use extra pages as necessary. If you need your Abstract Driving Record (ADR), please contact the Kalispel Tribal Court at 509-445-1664.

9. Have you ever been convicted of any criminal offense (civilian or military) in the U.S. or any other country?

Yes

No

If yes, please explain in the space provided at the end of application.

10. Are you an alien illegally or unlawfully in the United States?

Yes

No

11. Are you an alien who has been admitted to the United States under a nonimmigrant visa?

Yes

No

If yes, also indicate if you fall within any of the exceptions stated in the visa instructions.

12. Have you ever been adjudicated as a mental defective by federal standards, or otherwise committed to a mental institution?

Yes

No

13. Are you a fugitive from justice?

Yes

No

14. Do you agree to abide by all terms and conditions established by Tribal, Federal, or State law for this CWP on the Kalispel Indian Reservation?

Yes

No

15. Are you taking any medication that may impair your cognitive ability to comply with the terms and conditions of a CWP if issued?

Yes

No

16. Have you withheld any fact that might affect the decision to approve this permit?

Yes

No

If yes, please explain in the space provided at the end of application.

#### TERMS AND CONDITIONS OF CWP

The permit holder is responsible for all liability for, injury to, or death of any person, or damage to any property which may result through any act or omissions of the permit holder. The permit holder authorizes the Tribal Court and the Kalispel Tribal Police Department to investigate the permit holder's record and character to ascertain any and all information which may concern qualification to be issued a permit to carry a concealed weapon.

**Under the terms of this permit, if you are conceal carrying a weapon, then you:**

1. Shall not consume any alcoholic beverage.
2. Shall not be in a place where alcohol is served for on-site consumption.
3. Shall not be under the influence of any medication or drug, whether prescribed or not, that impairs your ability to fulfill the terms of your CWP.
4. Shall not refuse to show the permit or surrender the concealed weapon to any law enforcement officer upon demand.
5. Shall not impede any law enforcement officer's ability to perform an investigation or otherwise carry out their duties.
6. Shall not present yourself as a law enforcement officer to any person unless you are, in fact, a law enforcement officer.
7. Shall refrain from openly displaying a concealed weapon unless otherwise instructed by law enforcement or for another justified purpose, including but not limited to instances of self-defense.
8. Shall not carry a concealed weapon that is not properly registered to the permit holder.
9. Shall not carry a concealed weapon at times or circumstances other than those specified in the permit.
10. Shall possess the concealed weapon securely on your person at all times.

The following are places where firearms are prohibited, regardless of a valid CWP:

1. Camas Center for Community Wellness
2. Law Enforcement Buildings
3. Kalispel Tribal Courts
4. Childcare and Educational Facilities
5. Within any Gaming Facility (Including Northern Quest Resort & Casino and Kalispel Casino)
6. Any place with a notice indicating firearms are prohibited

The duration of the CWP will be for a term of five (5) years. Upon expiration of the five (5) year term, the permit holder must apply for renewal. That renewal application may require that some or all of this information be resubmitted.

**TERMS AND CONDITIONS OF CWP (Continued)**

<b>PROHIBITED UNDER CWP</b>	<b>PERMITTED UNDER CWP</b>
A CWP does not authorize the permit holder to carry a firearm or any dangerous weapon in contravention of any applicable laws.	A CWP enables the holder to carry a concealed weapon upon the Kalispel Reservation and Tribal properties where not otherwise explicitly prohibited.
A CWP does not authorize concealed carrying in any other jurisdiction, and a state concealed carry permit should be sought if one plans to travel off-reservation with the concealed weapon.	A CWP <b>AND</b> a Work Carry Endorsement allows a Kalispel Tribal employee to conceal carry a weapon in accordance with any additional rules and restrictions that apply during the course of their employment.  <b>NOTE:</b> You must have <i>both</i> the CWP and the Work Carry Endorsement <i>before</i> conceal carrying at work. Your immediate supervisor must also be notified prior to conceal carrying at work.

**Failure to abide by any of the above listed terms of the CWP may result in revocation of your CWP.**

**ACKNOWLEDGEMENT**

I am aware and understand that if my application is approved and I am issued a permit to carry a concealed weapon, that the permit is subject to the restrictions outlined above, and that misuse of the permit will cause an automatic revocation and possible arrest and that the permit may be suspended or revoked at the discretion of law enforcement. I am aware that any use of a firearm may bring criminal action or civil liability against me. I have read, understand, and agree to the CWP liability clauses, terms and conditions, and restrictions stated in this application. I understand that any false statements made in this application may be subject to civil and/or criminal prosecution. I further acknowledge that these terms and conditions, and restrictions on the CWP can be amended or expanded by the Kalispel Tribal Court, law enforcement, or any other regulatory body that may affect my eligibility to hold a CWP. I acknowledge that failure to provide all relevant documentation as required by this application will result in a denial of a CWP.



I declare under penalty of perjury that the foregoing statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of CWP.

Failure to abide by any and all of these restrictions will be subject to forfeiture of any weapon and may be subject to prosecution under Tribal, state, or federal law. If law enforcement discovers that an applicant was ineligible for a CWP at the time of application, that CWP will be revoked. If the applicant is restricted, through court order, conviction, or commitment from having a firearm at a later time, the applicant is required to disclose that information to the Kalispel Tribal Court and law enforcement immediately. Failure to disclose such information will result in revocation.

Date Submitted:

Applicant's Name:

Applicant's Signature:

**Official Use Only**

Law Enforcement Referral:

Approved:

Denied:

Law Enforcement Initials:

Judge's Signature:

**ADDITIONAL SPACE PROVIDED AS NEEDED FOR ANY ANSWER ABOVE**

*Please indicate which question your response is regarding.*