



IN THE LUMMI TRIBAL COURT
FOR THE LUMMI NATION

FILED
LUMMI TRIBAL COURT
LUMMI NATION

APR 28 2011

BY:  CLERK

LUMMI NATION,
Plaintiff,
vs.
MARTIN M. CAMACHO,
Respondent
DOB: 2/5/1965

Case No.: 2010 CVEX 2344

ORDER OF EXCLUSION

THIS MATTER having come before the undersigned judge on 3/15/ 2010 for a trial, and after taking into consideration recommendations from an assigned Exclusion Hearing Community Panel, and the court being fully advised in the premises enters the following:

IT IS HEREBY ORDERED that after April 25, 2011 and 24 hours after personal service of this order, the respondent is excluded from all areas within the exterior boundaries of the Lummi Reservation.

IT IS FURTHER ORDERED that the respondent may apply to the court for readmission no sooner than ten years after the date this order becomes effective if he demonstrates to the court at that time that:

1) he has committed no criminal offense for which the maximum criminal penalty could be more than 90 days in jail or which is a violent offense for the five years immediately prior to readmission; time that the respondent is incarcerated will not count towards the five years, except that two years of incarceration may count towards the five years if the person participates in all appropriate treatment programs available at the facility and has committed no violations of the prison rules during that time. For purposes of this order, a criminal offense is defined by the date of violation, not the date of conviction.

2) he has successfully completed any conditions of probation imposed by any jurisdiction and has been discharged from the criminal justice system; and

3) he has had a substance abuse evaluation within the prior three years, has complied with any recommendations, and has been clean and sober for the two years immediately prior to readmission, as documented by random supervised substance abuse testing conducted by a laboratory certified to conduct such testing. The costs of any such testing shall be the responsibility of the respondent.

4) he has obtained a sexual deviancy evaluation from an accredited treatment provider and has been in compliance with treatment recommendations for at least three years, and has either successfully completed treatment or has submitted to the court an statement that he is currently in treatment but is no longer a substantial risk for committing a new sexual offense.

5) he has completed an anger management program.

IT IS FURTHER ORDERED that all costs associated with meeting the conditions of readmission shall be the respondent's responsibility.

IT IS FURTHER ORDERED that, as part of petitioning the Court for readmission, the respondent must execute releases of information allowing the Lummi Nation to obtain records and consult with the defendant's:

1) treatment providers as to the substance abuse assessments conducted, nature of the treatment provided, compliance with treatment recommendations, and discharge documentation; and

2) drug and alcohol testers as to the nature of random testing provided, substances for which the samples are being tested, and the results of that testing, including: positive results, failures to appear for testing, refusal to submit to testing, attempts to submit false samples, and results showing dilute.

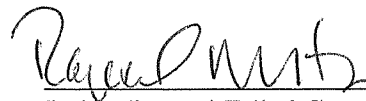
IT IS FURTHER ORDERED that the defendant shall be allowed to request a civil standby from the Lummi Nation Police for a period of 14 days following personal service of this order for the purpose of obtaining personal property from within the boundaries of the Lummi Reservation.

VIOLATION OF THIS ORDER, OR AIDING THE DEFENDANT TO VIOLATE OF THIS ORDER, IS A CRIMINAL OFFENSE UNDER THE LUMMI CODE OF LAWS, CHAPTER 12.04.010 AND WILL SUBJECT THE VIOLATOR TO ARREST AND A CRIMINAL PENALTY.

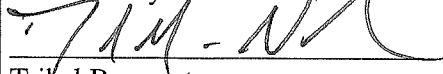
Notice: To the Chief of Lummi Police:

YOU ARE HEREBY DIRECTED TO MAINTAIN A RECORD OF THIS ORDER AND ITS PROVISIONS
YOU ARE FURTHER DIRECTED TO REFER ALL VIOLATIONS OF THIS ORDER TO THE APPROPRIATE JURISDICTION WITH PROSECUTING AUTHORITY.

Dated this 28 day of APRIL, 2011.


Judge, Lummi Tribal Court

Presented by:


Tribal Prosecutor

4/29/11
Date

