

COOPERATIVE AGREEMENT
between the
ALASKA STATE TROOPERS, DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF FAMILY AND YOUTH SERVICES, DEPARTMENT OF HEALTH
AND SOCIAL SERVICES
and the
NATIVE VILLAGE OF KOYUK

I. PURPOSE

This agreement is intended to set out a cooperative agreement between the Alaska State Troopers (Troopers), the Division of Family and Youth Services (DFYS), and the Native Village of Koyuk for the prosecution of minor juvenile offenses. The parties to this agreement believe that the prosecution and rehabilitation of minor juvenile offenders is most effective in a village setting, using the village court established by Koyuk. The parties accordingly agree that through this agreement, principal responsibility for the prosecution of minor juvenile offenses shall rest with the village court of the Native Village of Koyuk; the state court system shall only be used by the parties in the event that village enforcement and rehabilitation is ineffective with respect to a particular offender.

II. SCOPE

This Cooperative Agreement shall apply to all misdemeanor offenses under AS 11 committed by juvenile residents of Koyuk with the exception of the following:

Sexual Abuse of Minors

For the purposes of this Cooperative Agreement, a "juvenile resident of Koyuk" is defined as a person who: i) is 17 years of age or younger; and ii) resides in Koyuk.

III. GENERAL PROVISIONS

A. Any juvenile resident of Koyuk who commits an offense listed in section IV of this Cooperative Agreement shall be tried in village court, pursuant to the applicable written requirements of village law and the written procedures of the village court. The village law and court procedures shall contain protections for the civil rights of residents of Koyuk that, at a minimum, provide the protections set out in the Indian Civil Rights Act.

B. The village court shall refer such cases as it deems appropriate to DFYS for prosecution in the state court system. The parties understand that such cases will generally be limited to repeat offenders for whom village punishment and rehabilitation has not been effective and who can best be sanctioned and rehabilitated in the state court system.

IV. PROCEDURES

A. Should an allegation of an offense listed in section II of this Agreement come to the attention of the Troopers, they shall refer the case to the Koyuk village court. Cases may also be referred to the village court by the Village Public Safety Officer (if any) in Koyuk, or pursuant to the procedures of the village court.

B. When a matter is referred to the village court, the village court or court officials shall determine whether the offense is appropriate for disposition by the court.

1. If the court determines that the matter is an appropriate one, the court clerk shall meet with the juvenile and his or her parent or guardian. These parties shall be asked to sign a Village Court Agreement (a copy of which is attached to and incorporated into this Agreement) consenting to disposition of the case in the village court. If the parties agree to sign this Agreement, then it shall be forwarded to DFYS for signature. If they do not agree to sign, then the juvenile will be referred to DFYS for investigation