

**THE TULALIP TRIBES OF WASHINGTON**  
**RESOLUTION 2025- 007**

**Amendment to Tulalip Tribal Code Chapter 4.25 Tulalip Tribal Code Order Violations**

**WHEREAS**, the Board of Directors is the governing body of the Tulalip Tribes under the Constitution and Bylaws of the Tribes approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936, pursuant to the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. 5123); and

**WHEREAS**, the Tulalip Board of Directors under Article VI, Section 1. (L) Art. VI, Sec. 1 of the Tribal Constitution desire to safeguard and promote the community's peace, safety and general welfare; and

**WHEREAS**, the Board of Directors recognizes that merging violation of no contact orders, violation of protection orders, and foreign orders into one section better promotes the safety of the protected party and community while, also, putting the Tulalip tribal code in alignment with comparable jurisdictions; and

**NOW THEREFORE BE IT ENACTED**, by the Board of Directors of the Tulalip Tribes:

*Section 1.* Chapter 4.25 TTC is hereby amended as indicated by the attached track changes document, with additions indicated by underline and deletions indicated by strikethrough. A clean version of the adopted code is attached as a courtesy to the code revisor.

*Section 2.* This ordinance shall be in full force and effect on January 1, 2026.

**ADOPTED** by the Board of Directors of the Tulalip Tribes of Washington at a regular board meeting assembled on the 5 day of December, 2025, with a quorum present, by a vote of 5 For, 0 Against, and 0 Abstain.

**TULALIP TRIBES OF WASHINGTON**

**THE**



Teri Gobin, Chair

**ATTEST:**

  
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Theresa Sheldon, Secretary

**2025-\_\_\_\_\_**  
**Ordinance Summary**

Merger of Violation of a No Contact Order, Violation of a Protection Order, and Violation of a Foreign Order

Brief Summary of Ordinance

- Merges TTC 4.25.370, 4.25.380, and 4.25.720 into one section.
- Eliminates the distinction between criminal no contact orders and civil protection orders.

**Background**

Violation of a court order prohibiting contact indicates a disregard for the law and authority. Such behavior is a serious indicator of increased risk of future violence. This is why the Tulalip Tribal Code currently increases the penalty for violating a No Contact Order or Protection Order from a Class E crime to a Class F crime if the offender has two prior violations of a No Contact Order or Protection Order.

**Summary of Update**

TTC 4.25.370 contains the definition and penalty for violating a no contact order- a criminal order initiated by the Tribes. TTC 4.25.380 contains the definition and penalty for violating a protection order- a civil order initiated by the survivor. TTC 4.25.720 contains the definition for violating a foreign order- any order issued in a jurisdiction outside of Tulalip. Here, as in the state and other tribal jurisdictions, there is no proof or penalty distinction between whether an offender violates a no contact order, whether an offender violates a protection order, or whether an offender violates a foreign order. The elements of the crime are the same as are the penalties for the violation. The issue that arises by separating the no contact order violation, the protection order violation, and foreign order violation into separate crimes is that it lends credence to the argument that an offender may violate orders prohibiting contact up to four times before the violation becomes a class F offense. Because violating a no contact order is a predictor of future violence, elevating the class of crime after two previous violations should be utilized as a deterrent. Further, elevating the class of crime after two violations is in alignment with comparable tribal codes and Washington state.

**4.25.385 Violation of a court order prohibiting contact.**

(1) A person commits the offense of violation of a court order prohibiting contact by knowingly violating any provision of a court order prohibiting contact, defined as a:

- (a) No contact order;
- (b) Protection order; or
- (c) Foreign protection order.

(2) Violation of this section subjects the defendant to criminal penalties under this chapter. Any defendant who is found guilty of violating the terms of a court order prohibiting contact may also, subject to the Court's discretion, be held in contempt of court, and the Court may impose such sanctions as it deems appropriate.

(a) Violation of a court order prohibiting contact is a Class E offense except as provided in subsection (b) of this section.

(b) A third or subsequent violation of a court order prohibiting contact is an aggravated violation of a court order and a Class F offense.

(i) Adoption of this ordinance shall not extinguish the use of any violation of a no contact order, protection order, or foreign protection order that predates adoption as a prior for the purposes of this section.

(ii) Prior violations need not be of the same order prohibiting contact nor with the same protected party.

(iii) Prior violations may be proven by direct or circumstantial evidence or, when applicable, by conviction.

(c) Consent is not a defense to a violation of a court order prohibiting contact.

**4.25.370 Reserved Violation of no contact order.**

~~(1) A person commits the offense of violation of a no contact order by knowingly violating any provision of a no contact order.~~

~~(2) Violation of a no contact order subjects the defendant to criminal penalties under this chapter. Any defendant who is found guilty of violating the terms of a no contact order may also, subject to the Court's discretion, be held in contempt of court, and the Court may impose such sanctions as it deems appropriate.~~

~~(a) Violation of a no contact order is a Class E offense.~~

~~(b) A third or subsequent violation of a no contact order court order prohibiting contact is a Class F offense.~~

~~(c) Consent is not a defense to a violation of a domestic violence no contact order.~~

~~(d) An order prohibiting contact includes court orders issued in a civil or criminal, tribal or foreign, proceeding requiring the restrained party to have no contact with and/or refrain from certain conduct with the protected party.~~

**4.25.380 Reserved Violation of protection order.**

~~(1) A person commits the offense of violation of a protection order by knowingly violating any provision of a protection order.~~

~~(2) Violation of any protection order subjects the respondent to criminal penalties under this chapter. Any respondent who is found guilty of violating the terms of a protection order may also, subject to the Court's discretion, be held in contempt of court, and the Court may impose such sanctions as it deems appropriate.~~

~~(a) Violation of a protection order is a Class E offense.~~

~~(b) A third or subsequent violation of a protection order is a Class F offense.~~

~~(c) Consent is not a defense to a charge of violation of a protection order.~~

**4.25.385 Violation of a court order prohibiting contact.**

(1) A person commits the offense of violation of a court order prohibiting contact by knowingly violating any provision of a court order prohibiting contact, defined as a:

(a) No contact order;

(b) Protection order; or

(c) Foreign protection order.

(2) Violation of this section subjects the defendant to criminal penalties under this chapter. Any defendant who is found guilty of violating the terms of a court order prohibiting contact may also, subject to the Court's discretion, be held in contempt of court, and the Court may impose such sanctions as it deems appropriate.

(a) Violation of a court order prohibiting contact is a Class E offense except as provided in subsection (b) of this section.

(b) A third or subsequent violation of a court order prohibiting contact is an aggravated violation of a court order and a Class F offense.

(i) Adoption of this ordinance shall not extinguish the use of any violation of a no contact order, protection order, or foreign protection order that predates adoption as a prior for the purposes of this section.

(ii) Prior violations need not be of the same order prohibiting contact nor with the same protected party.

(iii) Prior violations may be proven by direct or circumstantial evidence or, when applicable, by conviction.

(c) Consent is not a defense to a violation of a court order prohibiting contact.

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#### **4.25.720 Reserved Violation of foreign orders.**

~~(1) Whenever a foreign protection order is granted to a person entitled to protection and the person under restraint knows of the foreign protection order, a violation of a provision prohibiting the person under restraint from contacting or communicating with another person, or of a provision excluding the person from a residence, workplace, school, or daycare, or of a provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which a foreign protection order specifically indicates that a violation will be a crime, shall subject the person to the same penalties as if the order were issued by the Tulalip Tribal Court in TTC 4.25.470.~~

~~(2) Upon conviction, and in addition to any other penalties provided by law, the Court may require the person under restraint to submit to electronic monitoring (global positioning system (GPS) or similar). The Court shall specify who will provide the electronic monitoring services, and the terms under which the monitoring will be performed. The order also may include a requirement that the person under restraint pay the costs of the monitoring. The Court shall consider the ability of the convicted person to pay for electronic monitoring.~~

~~(3) A peace officer shall arrest without a warrant and take into custody a person when the peace officer has probable cause to believe that a foreign protection order has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order for which the foreign protection order specifically indicates that a violation will be a crime. Presence of the order in the law enforcement computer based criminal intelligence information system is not the only means of establishing knowledge of the order.~~