

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 10-09-19-F
Tlyethinltshawá·late? Kayanlása?
We'll put our arms across to stop them
Curfew Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the purpose of the Curfew law (“the Law”) is to protect the health, safety, and welfare of persons and property within the Reservation by regulating the activities of minors on the Reservation during certain hours, while imposing certain obligations and responsibilities on the parents, guardians, and/or legal custodians of a minor for the control and supervision of that minor; and
- WHEREAS,** the Law prohibits any minor from being on any public space either on foot or in any vehicle driven or parked, between the hours of 10:00 p.m. and 6:00 a.m. within the boundaries of the Reservation, unless the minor is accompanied by a parent, guardian, or legal custodian; and
- WHEREAS,** the Law prohibits any parent, guardian, or legal custodian from knowingly permitting or failing to take action to prevent a minor from being on any public space either on foot or in any vehicle driven or parked, between the hours of 10:00 p.m. and 6:00 a.m. within the boundaries of the Reservation; and
- WHEREAS,** the Law provides various exemptions to the curfew, where a minor will not be considered to be violating the curfew if at the time of the alleged violation the minor was engaged in specific activities; and
- WHEREAS,** the Law provides the enforcement procedure to be used by the Oneida Police Department when enforcing a suspected curfew violation; and
- WHEREAS,** the Law provides various penalties that can be imposed by the Family Court against the minor and/or the minor’s parent, guardian, and/or legal custodian upon a finding by the Family Court that a violation of this Law has occurred; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were developed for this Law; and

WHEREAS, a public meeting on the Law was held on July 18, 2019, in accordance with the Legislative Procedures Act, and the public comment period was held open until July 25, 2019; and

WHEREAS, the Legislative Operating Committee accepted, reviewed, and considered the public comments received on August 15, 2019; and

NOW THEREFORE BE IT RESOLVED, that the Curfew law is hereby adopted and shall be effective on October 23, 2019.

BE IT FINALLY RESOLVED, the Legislative Reference Office shall conduct a one (1) year review of the Curfew law and provide the Oneida Business Committee a report which details the number of citations issued by the Oneida Police Department, frequency and types of penalties issued by the Oneida Family Court, and any other relevant information.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members were present at a meeting duly called, noticed and held on the 9th day of October, 2019; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."