

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-08-21-A Adoption of the Public Peace 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 Public Peace law (“the Law”) is to set forth community standards and expectations which preserve the peace, harmony, safety, health, and general welfare of individuals who live within the boundaries of the Reservation; and
- WHEREAS,** the Law delegates jurisdiction to the Trial Court for any action brought under this Law; and
- WHEREAS,** the Law delegates authority to the Oneida Police Department to investigate complaints involving civil infractions under this Law and issue citations for violations of this Law; and
- WHEREAS,** the Law prohibits a person from committing a civil infraction under this Law; and
- WHEREAS,** the Law provides the various civil infractions including:
- Civil infractions against property;
 - Civil infractions against the peace;
 - Civil infractions against government;
 - Civil infractions against the person;
 - Civil infractions involving alcohol, tobacco, and drugs;
 - Civil Infractions affecting health and safety; and
- WHEREAS,** the Law provides that a citation for a violation of this Law shall be processed in accordance with the procedure contained in the Nation’s laws and policies governing citations, which is currently the Citations law; and
- WHEREAS,** the Law requires that an Oneida Police Department officer provide notice to the Oneida Law Office attorney assigned to the Comprehensive Housing Division of any citation issued to an individual located at a property rented or leased through the Comprehensive Housing Division; and
- WHEREAS,** the Law provides the various penalties to be utilized by the Trial Court upon a finding that a violation of this Law has occurred, including fines, community service, participation in counseling and/or other programs, restitution, and/or any other penalty as deemed appropriate by the Trial Court; 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 this proposed Law was not held in accordance with the Legislative Procedures Act due to the COVID-19 pandemic; and
- WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a "*Declaration of Public Health State of Emergency*" regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, which was then subsequently extended through September 26, 2021, by the Oneida Business Committee through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, BC-05-12-21-A, BC-06-23-21-B, and BC-07-28-21-N; and
- WHEREAS,** on March 27, 2020, the Nation's COVID-19 Core Decision Making Team issued a "*Suspension of Public Meetings under the Legislative Procedures Act*" declaration which suspended the Legislative Procedures Act's requirement to hold a public meeting during the public comment period for the duration of the Public Health State of Emergency, but allows members of the community to still participate in the legislative process by submitting written comments, questions, data, or input on proposed legislation to the Legislative Operating Committee via e-mail during the public comment period; and
- WHEREAS,** although a public meeting was not held for this proposed Law, the public comment period for this Law was held open until June 9, 2021, and six (6) individuals submitted written comments during the public comment period; and
- WHEREAS,** the Legislative Operating Committee accepted, reviewed, and considered all public comments received on July 7, 2021, and July 13, 2021; and
- NOW THEREFORE BE IT RESOLVED,** that the Public Peace law is hereby adopted and shall become effective on September 22, 2021.

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 8th day of September, 2021; 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 Liggins, Secretary
Oneida Business Committee

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