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## Chapter 1. Assiniboine and Sioux Tribal Flag

### **Sec. 101. The Assiniboine and Sioux Tribal Flag.**

The Assiniboine and Sioux Tribal Flag shall consist of a sky blue field, containing two (2) Indian chiefs in war bonnets holding a buffalo robe. The words "Fort Peck Tribes" shall appear on the buffalo robe, the word "Assiniboine" on the left hand war bonnet and the word "Sioux" on the right hand war bonnet.

### **Sec. 102. Display of the flag.**

(a) The Assiniboine and Sioux Tribal Flag shall be displayed, except on days when the weather is inclement, within, on or near the main building or entrance of the Tribal Office.

(b) The Assiniboine and Sioux Tribal Flag may be displayed within buildings, or outside where it shall be displayed only from sunrise to sunset, and only on flagstaves or staffs affixed to buildings.

The flag may be otherwise displayed in an appropriate manner on special occasions.

### **Sec. 103. Manner of display.**

(a) The manner in which the Assiniboine and Sioux Tribal Flag is displayed with or near the Flag of the United States shall be in conformance with laws governing the display of the Flag of the United States.

(b) The Assiniboine and Sioux Tribal Flag should be displayed in a proper and respectful manner, conspicuously placed and well secured. When the Flag is displayed otherwise than being flown from a staff, it should be displayed flat, whether indoors or out, or so suspended that its folds fall as free as though the Flag were staffed.

(c) The Assiniboine and Sioux Tribal Flag should be hoisted briskly and lowered ceremoniously.

(d) The Assiniboine and Sioux Tribal Flag should be displayed above any flags on a single staff, except the United States Flag, and if several Flags are displayed together, the Assiniboine and Sioux Tribal Flag should occupy the place of central or greatest prominence, except when the United States Flag is displayed, in which case the Assiniboine and Sioux Tribal Flag should be displayed immediately to the left and slightly lower than the United States Flag.

(e) The Chairman of the Assiniboine and Sioux Tribes is hereby authorized to order that the Assiniboine and Sioux Tribal Flag be displayed at half staff, whenever appropriate, and to prescribe the length of time the Flag should be so displayed. The Flag, when displayed at half staff, should first be hoisted to the peak of the staff for an instant and then lowered to the half staff position. The Flag should again be raised to the peak of the staff before it is lowered for the day.

**Sec. 104. Proper methods of handling, storage and destruction.**

(a) The Flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise, and should always be kept or placed in a clean container or wrapping used for the purpose of keeping the Flag.

(b) The Flag should never be used as drapery of any sort whatsoever, never festooned, drawn back, nor up, in folds, but always allowed to fall free.

(c) The Flag should never be fastened, displayed, used or stored in such a manner as will permit it to be easily torn, soiled or damaged in any way.

(d) The Flag should never have placed upon it, nor any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

(e) The Flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard, or used as any portion of a costume or athletic uniform. Advertising signs should not be fastened to a staff or halyard from which the Flag is flown.

(f) The Flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

**Sec. 105. Desecration of the Tribal Flag.**

No person shall knowingly cast contempt upon the Assiniboine and Sioux Tribal Flag by publicly mutilating, defacing, defiling, burning or trampling upon it. Any non-Indian violating this provision may be excluded from lands subject to the jurisdiction of the Tribes by order of the Fort Peck Tribal Court.

## **Chapter 2. Police and Law Enforcement**

**Sec. 201. Superintendent to command Reservation police.**

The Superintendent of the Fort Peck Agency shall be the commander of the Reservation police.

**Sec. 202. Duties of commander of Reservation police.**

The commander shall be responsible for the general efficiency and conduct of the Reservation police. He/she or his/her duly qualified representative shall keep informed as to the efficiency of the police officers in the discharge of their duties, inspect the force at regular times, inform the police officers of their duties, and account for the equipment issued in connection with their official duties. The commander shall detail such Reservation police officers as may be necessary to carry out the orders of the Fort Peck Tribal Court or Court of Appeals and to preserve order in the Courts. The commander shall investigate all reports and charges of misconduct on the part of Reservation police officers and shall exercise such proper disciplinary measures as may be consistent with existing regulations.

**Sec. 203. Police commissioners.**

The commander of Reservation police, with the approval of the Commissioner of Indian Affairs, may designate a police commissioner. Wherever any special federal officer is regularly employed on the Reservation, he/she shall be police commissioner. The police commissioner shall enforce all orders of the Fort Peck Tribal Court and Court of Appeals. The police commissioner shall be responsible to the commander for the conduct and efficiency of the Reservation police under his/her direction and shall give such instruction and advice to them as may be necessary. The police commissioner shall promptly report all violations of law or regulation and any misconduct of any member of the Reservation police to the commander.

**Sec. 204. Police training.**

The commander shall conduct or maintain, as circumstances require, classes for the instruction of the Reservation police in the proper enforcement of their duties. Such classes shall familiarize the police officers with (1) the manner of making searches and arrests; (2) the proper and humane handling of prisoners; (3) the keeping of records of offenses and police activities; (4) the court's orders and legal forms and the duties of the police in relation thereto; and (5) any other subjects of importance for efficient police duty. Particular instruction shall be given to the methods of preventing crime and of securing cooperation with Indian and non-Indian communities in establishing better social relations.

**Sec. 205. Appointment and qualifications of Reservation police.**

(a) When appointment of Reservation police is subject to control by the Tribes, the Executive Board, with the approval of the Assistant Secretary for Indian Affairs, may appoint Indians as Reservation police;

(b) To be eligible for appointment, an Indian shall possess qualifications as follows:

(1) Be of sound physical condition and sufficient size and strength to perform the duties required of a police officer;

(2) Be of courage, self-reliance, intelligence and high sense of loyalty and duty;

(3) Never have been convicted of a felony for which he/she has not received a pardon, nor have been convicted of any misdemeanor for a period of one (1) year prior to appointment;

(4) Have a high school degree or its equivalent;

(5) Be at least eighteen (18) years of age;

(6) If the appointment is to be a permanent appointment, have attended and satisfactorily completed the course of study at a duly accredited police academy.

(c) All Reservation police officers shall retire at the age seventy (70).

**Sec. 206. Duties of Reservation police.**

The duties of a Reservation police officer shall be as follows:

(a) to obey promptly all orders of the police commissioner or the Fort Peck Tribal Court or Court of Appeals when assigned to that duty;

(b) to lend assistance to other officers;

(c) to report and investigate all violations of any laws or regulation coming to his/her notice or reported for attention;

(d) to arrest all persons observed violating the laws or committing the offenses enumerated in Title VII (Criminal Offenses) of this Code;

(e) to inform himself/herself as to the laws, regulations and offenses applicable to the Reservation and as to the laws of arrest, including Chapter 2 of Title VI (Criminal Procedure);

(f) to prevent violations of the law and the committing of offenses enumerated in Title VII (Criminal Offenses) of this Code;

(g) to report to his/her superior officers all accidents, births, deaths, and events or impending events of importance;

(h) to abstain from the use of intoxicants and narcotics while on duty and to refrain from engaging in any act which would reflect discredit upon the police force;

(i) to refrain from the use of profane, insolent or vulgar language while on duty;

(j) to use only necessary force in making an arrest, search, or seizure;

(k) to keep all equipment furnished by the United States and the Tribes in reasonable repair and order;

(l) to report the loss of any and all property issued by the United States or the Tribes to the appropriate officials;

(m) to arrest non-Indians on the Reservation for violations of state or local law pursuant to any state or local law or agreement authorizing Indian police to make such arrests. Any person arrested under this subsection shall be promptly delivered to state or local authorities in accordance with the law or agreement authorizing the arrest;

(n) to arrest Indians or non-Indians for violations of federal law on the Reservation. Any person arrested under this subsection shall be promptly delivered to appropriate federal authorities.

No police officer shall be assigned or detailed for duty as janitor or chauffeur or for any duty not connected with the administration of law and order.

**Sec. 207. Procedures for discipline and dismissal.**

(a) Whenever a charge or complaint is brought against any employee of the Reservation police force, the commander of Reservation police in his/her discretion may place the employee on administrative leave and suspend the employee from all duties, or may assign the employee to administrative duties. Any suspension under this section shall be without pay.

(b) At the time action under subsection (a) is taken, the employee shall be informed of the reason for the action and promptly after the action is taken the commander shall: (1) Serve the employee with a written statement of the charges or complaints and the names of all persons on whose information the charges or complaints are based. Service shall be in person, or by leaving the written statement at the last known place of residence of the employee with some person of suitable age and discretion then living in the residence. (2) Set a hearing date not less than five (5) days, or more than ten (10) days, after the employee has been served with the written statement of charges.

(c) The hearing shall be before a panel of three (3) persons, selected by the Executive Board. None of the persons selected shall be employees of the Reservation police force or members of the Executive Board.

(d) The parties shall be entitled to counsel and an opportunity to confront and examine witnesses.

(e) The hearing panel shall render a decision promptly and issue a final order in writing that shall be binding on the parties. If the decision is adverse to the employee, the order shall specify the penalty, which may include termination of employment, suspension from duty without pay for a specified period, not to exceed two (2) weeks, or a monetary penalty. If a monetary penalty is

imposed, the employee, at his/her option, may resign rather than pay the penalty.

(f) The procedures set forth in this Section shall be in lieu of those set forth in 25 C.F.R. 11.304(k). The procedures set forth in this Section shall be included in any contract or grant under 25 C.F.R. Part 271 or Part 272 for the administration of the Reservation police force.

**Sec. 208. State and local law enforcement officials authorized to make arrests .**

(a) All law enforcement officials vested with general law enforcement authority by the State of Montana, or by any County or City within the boundaries of the Fort Peck Reservation and approved by Executive Board on recommendation of the safety committee, are hereby authorized to arrest Indians on any highway on the Reservation or within the boundaries of the cities of the Reservation for violations of the Tribal Code of Justice. Each jurisdiction shall from time to time submit the names of new law enforcement officials to the safety committee for approval.

(b) Upon arresting any Indian as authorized by this Section, such law enforcement officials shall promptly deliver the individual to the Tribal Court or to the appropriate tribal law enforcement officers for action under tribal laws.

## **Chapter 3. Tribal Jail**

**Sec. 301. Duties of the Chief Jailer and jailers.**

(a) The Chief Jailer and the assistant jailers are responsible for the safety, cleanliness and general well being of all persons confined as prisoners of the Fort Peck Tribal Court.

(b) The duty jailer shall monitor the Indian police radio frequency, and shall keep an accurate radio log of all police calls and document all complaints, arrests and police calls on the radio log.

(c) The Chief Jailer may from time to time designate reliable prisoners to assist in operation of the jail. Only four (4) such trustees may be allowed outside the cell block at a time.

**Sec. 302. Procedures upon arrival of new prisoners.**

(a) Upon incarceration of each person held in the Fort Peck Tribal Jail, all personal property in the possession of the person to be confined shall be taken from the prisoner, properly inventoried and stored in a safe place until the person is released from custody.

(b) Any new prisoner who is not intoxicated may use the telephone for one (1) completed call to an attorney or lay counselor and one (1) completed call to a friend or relative prior to being placed in the cell block. Any long distance calls must be made collect.

(c) The prisoner shall then be placed in a cell block for detention until release or further court action.

**Sec. 303. Prisoners to be kept in cells.**

(a) All prisoners are to be locked in their respective cells at all times, with exception of the trustee, and such others actually performing work on assigned work details.

(b) If, in his/her judgment, he/she can do so without risk to the security of the jail, the Chief Jailer may designate a daily exercise period during which the prisoners, under supervision, may be out of their cells.

**Sec. 304. Property permitted in the jail.**

(a) No property shall be allowed to be furnished incarcerated prisoners with exception to

tobacco products and clean clothing. No foods other than scheduled meals shall be furnished to prisoners. No knives, beer openers, bottles, metal objects or other items which could produce bodily harm shall be allowed inside the cell blocks.

(b) Each prisoner will be furnished with eating materials and bedding as required.

**Sec. 305. Meals.**

(a) All persons confined shall be fed a minimum of three (3) meals each day while confined; breakfast shall be fed before 8:00 a.m., lunch at approximately noon, and dinner at approximately 5:00 p.m.

(b) The Chief Jailer shall direct preparation of and establish procedures for serving these meals.

**Sec. 306. Work details.**

(a) Incarcerated prisoners shall be assigned work details for the benefit of the Tribes only upon authorization of the Presiding Judge of the Tribal Court.

(b) The Chief Judge and the assistant jailers may use prison labor for internal cleaning of the jail such as scrubbing floors, walls, sweeping and mopping. The jail should be kept in clean and sanitary condition, and should be scrubbed at least two (2) times each week, swept daily, and trash should be emptied daily or more frequently as needed.

**Sec. 307. Visitors and phone calls.**

(a) No unauthorized persons shall be allowed inside or around the Fort Peck Jail.

(b) Visiting hours shall be posted at the gate and strictly enforced.

(c) Prisoners shall not receive or make phone calls at the jail.

(d) Prisoners shall be afforded adequate opportunity to consult privately with their attorneys or lay counselors. Notwithstanding subsection (c), prisoners may have reasonable access to the telephone to communicate with their attorney and lay counselors.

**Sec. 308. Medical care for prisoners.**

(a) When any prisoner confined requires medical attention, the Chief Jailer or his/her assistant on duty shall arrange with the Tribal police for transportation to the necessary medical facility. Any medications prescribed for prisoners' use shall be kept and issued by the duty jailer. No medicines will be allowed in cell blocks.

(b) The Chief Jailer shall maintain records each showing the date, time and reason for each instance of medical treatment of prisoner, and showing all prescriptions issued to each prisoner, and showing the date and time of each issuance of medication to each prisoner.

**Sec. 309. Women's cell block.**

Female prisoners shall be confined in a separate cell block. The Chief Jailer shall assure the privacy of the women's cell block. To the extent reasonably possible, a female jailer shall be available for duty in the women's cell block. Only under emergency circumstances shall any male jailer or police officer, or other male person enter the women's cell block.

**Sec. 310. Release.**

No prisoner shall be released from custody until a release form or other order is signed by the presiding tribal judge, the prisoner's sentence is served, or release is ordered by a court having jurisdiction over the matter.

# Chapter 4. Extradition

## **Sec. 401. Definitions.**

(a) Fugitive from justice. Any Indian who has fled to the Reservation and is charged by a state with a crime committed within the jurisdiction of the state but outside of Indian country, or is charged by an Indian tribe with an offense committed in Indian country.

(b) Demanding jurisdiction. The governor of the state, or tribal chairman of the Indian Reservation, from which the fugitive from justice fled, or the authorized agent of such person.

## **Sec. 402. Tribal Court to issue warrant.**

Whenever a demanding jurisdiction requests a fugitive from justice and produces a copy of the indictment found, or complaint and warrant, or other judicial evidence, charging any Indian with having committed a crime within the jurisdiction of the demanding jurisdiction, the Tribal Court may issue a warrant for the apprehension and commitment of the Indian so charged, to the end that such Indian may be brought before the Tribal Court for hearing and determination of the issues set forth in Section 405 of this Chapter.

## **Sec. 403. Notice of hearing; waiver of hearing.**

As soon as possible after the apprehension of the accused Indian, and in any event within twenty four (24) hours, the Tribal Court shall fix a date for the hearing on the issues defined in Section 405 of this Chapter. The hearing date shall be not more than two (2) weeks after the date of apprehension of the accused, unless the accused is in custody at the time the demand is received. At the same time, the Tribal Court shall:

(a) In open Court and on the record advise the accused Indian of his/her rights to present evidence and testimony at the hearing on the issues defined in Section 405 of this Chapter, furnish the accused Indian with a copy of this Chapter calling particular attention to Section 405 defining the issues to be heard, and advise the Indian that the Indian may voluntarily waive the hearing and agree to be delivered to the demanding jurisdiction.

(b) Immediately notify the demanding jurisdiction of the date of the hearing by telephone if necessary, furnish the demanding jurisdiction with a copy of this Chapter calling particular attention to Section 405 of this Ordinance defining the issues to be heard, and advise the demanding jurisdiction of its right to present evidence and testimony and to be represented by counsel.

(c) Immediately notify the Chairman of the Executive Board of the date of the hearing. The Executive Board may, through any representative designated by it, be present at the hearing, and present evidence and legal arguments.

## **Sec. 404. Accused may be admitted to bail conditions of bond.**

The Tribal Court may release the accused Indian from custody pending the hearing provided for in Section 405 of this Chapter in accordance with Title VII (Criminal Procedure), Section 402(a), provided that the Court shall impose such conditions of release as it deems proper for the appearance of the Indian before the Tribal Court at the hearing and for the surrender of the Indian to the demanding jurisdiction, if so adjudged after the hearing.

## **Sec. 405. Issues for determination.**

At the hearing as provided in Section 403 hereof, the Tribal Court shall hear and determine the following issues:



(a) Whether the accused Indian is the person before the court and is the person charged by the demanding jurisdiction with the commission of a crime.

(b) Whether there is evidence of criminality. For purposes of this Section, criminality is established if evidence is found sufficient to justify commitment for trial if the crime had been committed on the Reservation. Evidence need not be such as is required to convict an accused at a trial. The Tribal Court shall not determine guilt or innocence.

(c) Whether the circumstances surrounding the charge by the demanding jurisdiction indicate that the accused Indian was the victim of discrimination by reason of his/her race.

(d) Whether the demanding jurisdiction can assure the accused Indian of nondiscriminatory and safe treatment in jail of the demanding jurisdiction.

(e) Whether the demanding jurisdiction can assure the accused Indian of a fair trial in the area of the demanding jurisdiction where such a trial would be held.

(f) Whether the criminal charges by the demanding jurisdiction were in good faith, or for the purpose of using criminal process to compel payment of a civil debt or some other improper motive.

(g) Whether, under all the facts and circumstances, justice would best be served by delivering the Indian to the demanding jurisdiction.

**Sec. 406. Entry of judgment.**

If the accused Indian waives in writing the right to a hearing, or if the issues defined in Section 405 hereof are resolved against the accused Indian, the Tribal Court shall enter a judgment authorizing the demanding jurisdiction to arrest and remove the accused Indian from the Reservation.

## **Chapter 5. Parks**

**Sec. 501. Closing times.**

All tribal parks and celebration grounds on the Fort Peck Indian Reservation shall be closed from 10:00 p.m. until dawn each day, except that use of the parks after 10:00 p.m. may be authorized by the Executive Board for organized functions such as a recognized pow wow.

**Sec. 502. Consumption of liquor.**

No liquor shall be consumed in tribal parks or celebration grounds at any time.

## **Chapter 6. Relationships with Other Governments**

**Sec. 601. Consultation with governmental entities.**

(a) It is the policy of the Assiniboine and Sioux Tribes that the federal, state and local governments and any agencies thereof should consult with the Tribes concerning any policy, decision or enactment which may significantly affect the Tribes or the Fort Peck Indian Reservation prior to such policy, decision or enactment.

(b) Any government entity desiring to initiate consultation about any matter of mutual interest may do so by contracting the Chairman of the Fort Peck Tribal Executive Board. Consultation shall be with the Executive Board, the Chairman, or such agency or representative of the Tribes as the Chairman or Board may direct.

(c) Whenever the Fort Peck Tribal Executive Board desires to consult with any government or governmental entity it shall initiate such consultation by a communication directed to the head of such government or governmental entity, except that:

(1) Consultations with a federal agency or instrumentality may, if appropriate, be initiated by a communication directed to the regional director of such agency for the region which includes the Fort Peck Indian Reservation;

(2) Consultations with the Bureau of Indian Affairs may, if appropriate, be initiated by a communication directed to the Superintendent of the Fort Peck Agency; and

(3) Any government or governmental entity may, by so informing the Chairman, appoint a representative to whom such communication shall be directed.

(d) This section shall not be construed to forbid or limit informal communications and cooperation between the Tribes and their agencies and other governmental entities. However, all such informal communications and cooperation shall be subject to supervision by the Executive Board.

## **Chapter 7. Exclusion from the Fort Peck Reservation**

### **Sec. 701. Grounds for Exclusion.**

Any person may be excluded from the Reservation for:

(a) Conduct which substantially threatens the life, the physical health or the safety of an Indian or Indians residing on the Reservation.

(b) Conviction in Tribal Court of at least three felonies or Class A Misdemeanors which involve acts of violence against persons under the laws of the Tribes.

### **Sec. 702. Initiation of Exclusion Proceedings.**

(a) Exclusion proceedings shall be initiated by written charges of specific conduct justifying exclusion made by the Tribal Civil Prosecutor or a member of the Tribal Executive Board. Such charges shall also include the text of a proposed exclusion order. The charges and order must then be adopted by a majority vote of the Tribal Executive Board at a meeting at which a quorum is present.

(b) In an emergency situation and for good cause shown, the Board may, at the time it adopts charges, enact a temporary exclusion order, effective upon adoption, against the person or persons charged. Such temporary exclusion order shall be effective for 30 days or until the date of the hearing pursuant to Section 704, whichever comes first. Notwithstanding any other provision, such a temporary exclusion order shall not be construed to prevent the person or persons excluded from appearing at the hearing on the charges against them pursuant to Section 704, or at any Tribal Court hearings at which the excluded person or persons are otherwise required to appear.

### **Sec. 703. Notices.**

Written notice of exclusion charges, including the complete text of the charges adopted by the Tribal Executive Board, shall be served on the person or persons against whom the charges are made by personal delivery or by certified or registered mail, return receipt requested. Such notice shall be accompanied by a copy of this ordinance and shall advise the person or persons of the date of the Tribal Court hearing on the charges. Such notice shall be delivered not less than 10 days

before the date of the hearing.

**Sec. 704. Hearing on Charges.**

(a) Not less than 10 days after service of notice of charges pursuant to Section 703, the Tribal Court shall hold a public hearing on the charges. The charges must be proven by sworn testimony of witnesses and reliable documentary evidence. The person or persons charged shall be given the opportunity to answer the charges by written or oral presentation before the Court, and shall have the right to cross-examine witnesses, to present witnesses or evidence in defense against the charges and to be represented by counsel at their own expense.

(b) After the hearing, the Court shall determine whether the charges have been proven by a preponderance of the evidence. If it determines the charges have been so proven, it shall adopt the exclusion order and set a date when the exclusion order shall take effect. If the Court determines the charges have not been so proven, it shall not adopt the exclusion order, and the charges shall be dropped. In either case, the decision of the Court shall be reviewable only in the manner provided for appeal of a final decision in a civil action by the Tribal Court of Appeals.

**Sec. 705. Content of Exclusion Order.**

Every exclusion order proposed as part of charges pursuant to Section 702, or adopted pursuant to Section 704(b) shall:

(a) Specifically identify by name, and such other information necessary to avoid any ambiguity, the person or persons to be excluded from the Reservation.

(b) Include, either directly or by reference to the charges, a description of the specific conduct for which exclusion is ordered.

(c) State the date, time and place of the Tribal Court hearing on the charges.

(d) State that the excluded person may be allowed or required to appear in Tribal Court in any proceedings within the jurisdiction of Tribal Court, notwithstanding the exclusion order.

**Sec. 706. Revocation of Exclusion Orders.**

(a) A person excluded from the Reservation may, at any time at least six months following entry of an exclusion order, petition the Court to revoke the exclusion order. The petition shall be made in writing and shall set forth in detail the grounds upon which revocation is sought.

(b) Except as provided in subsection (c), the Court shall afford a person petitioning for revocation of an exclusion order a hearing in the manner provided in Section 704. Notwithstanding the outstanding exclusion order, the petitioner may enter the Reservation to appear at the hearing, under procedures set forth in Section 707. At the hearing the burden shall be on the petitioner to show that revocation is appropriate, but revocation shall be ordered by the Court only if it determines that the petitioner no longer poses a substantial threat to the life, the physical health or the safety of an Indian or Indians residing on the Reservation.

(c) A hearing need not be afforded on a petition for revocation filed within six months of the effective date of the exclusion order or within one year of a hearing on a previous petition for revocation filed by the same person.

**Sec. 707. Procedures for entering Reservation for exclusion, revocation or Tribal Court hearing.**

Any person excluded from the Reservation under this ordinance, who is entitled under this ordinance to appear at a Tribal Court hearing on exclusion or revocation, or is required to appear in

Tribal Court in any proceeding, may enter the Reservation only in compliance with this section. The person excluded must provide the Tribal Chairman with seven (7) days notice, in writing, of the date, time and purpose for seeking entry to the Reservation. Upon receipt of such a notice, the Chairman shall determine if the request by the excluded person complies with this ordinance. If not, the Chairman shall inform the excluded person that his request to enter the Reservation has been denied. If the request is in compliance with this ordinance, the Chairman shall notify the excluded person that he may enter the Reservation, but only for the purpose of attending the specified Tribal Court hearing. In such event, the Chairman shall arrange for a tribal police escort of the excluded person from the boundary of the Reservation to the designated hearing, and, immediately after the designated hearing, to the Reservation boundary. For purposes of this section, the term "Chairman" shall mean the Tribal Chairman or his designee.

**(CHAPTER ADOPTED AS PER RESOLUTION NO. 1290-2003-1, DATED 01/27/03.)**