

**Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle
Harbor Springs, MI 49740**

TRIBAL RESOLUTION #071422- 01

Support of MITLEA Tribal Law Enforcement Initiative Presentation to MCOLES

- WHEREAS,** the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance; and
- WHEREAS,** the Little Traverse Bay Bands of Odawa Indians (LTBB) is a federally recognized Tribal Nation under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621); and
- WHEREAS,** the Little Traverse Bay Bands of Odawa Indians is governed by a Tribal Constitution adopted by the citizens of the Tribe on February 1, 2005; and
- WHEREAS,** The Michigan Tribal Law Enforcement Association (“MITLEA”) is an unincorporated association comprised of the law enforcement agencies of all twelve (12) federally recognized Tribal Nations in the State of Michigan (“Michigan Tribal Nations”); and
- WHEREAS,** Under the MITLEA Bylaws, the purpose of the MITLEA includes securing unity of action in matters of mutual concern and promoting legislative efforts to improve tribal law enforcement; and
- WHEREAS,** Under the MITLEA Bylaws, the voting members of the MITLEA are limited to the Chief Law Enforcement Officials of the Michigan Tribal Nations (“Voting Members”); and
- WHEREAS,** The Michigan Commission on Law Enforcement Standards (“MCOLES”) performs certain statutory functions under Michigan law, including the Michigan Commission on Law Enforcement Standards Act, MCL 28.601, et. seq.; and
- WHEREAS,** In part, under MCLA 28.602:
- “Law Enforcement Agency” (in part) means an entity that is established and maintained in accordance with the laws of this state and is authorized by the laws of this state to appoint or employ law enforcement officers; and
 - “Law Enforcement Officer” includes an individual employed as a “Michigan Tribal Law Enforcement Officer” by a federally recognized Tribal Nation that has trust lands located within this state, subject to a

- written instrument authorizing the individual to enforce the laws of this state (“Written Instrument”); and
- “Michigan Tribal Law Enforcement Officer” means an individual employed as a law enforcement officer by a federally recognized Tribal Nation that has trust lands located within this state, subject to a Written Instrument; and

WHEREAS, Under MCLA 28.609b, MCOLES must promulgate rules governing licensing standards and procedures for Michigan Tribal Law Enforcement Officers who are subject to a Written Instrument, including in part, the form and manner of execution of the Written Instrument, consisting of deputation by a sheriff of this state, conferring authority upon the individual to enforce the laws of this state; and

WHEREAS, In part, under the MCOLES Act:

- The law enforcement agencies of the Michigan Tribal Nations do not qualify as a Law Enforcement Agency; and
- An individual who is employed as law enforcement officer by a Michigan Tribal Nation only qualifies as a Michigan Tribal Law Enforcement Officer if the individual is subject to a Written Instrument; and
- The Written Instrument may consist of deputation by a sheriff of this state, conferring authority upon the individual to enforce Michigan laws; and

WHEREAS, The MITLEA supports an amendment to Michigan law that would authorize individuals, who are both employed as law enforcement officers by the Michigan Tribal Nations and are MCOLES certifiable, to enforce Michigan laws within the State of Michigan without a Written Instrument (“Tribal Law Enforcement Initiative”); and

WHEREAS, In connection with pursuing the Tribal Law Enforcement Initiative, the Voting Members seek to present the Tribal Law Enforcement Initiative to MCOLES and to request that MCOLES support the Tribal Law Enforcement Initiative; and

WHEREAS, In connection with seeking the support of MCOLES for the Tribal Law Enforcement Initiative, the MITLEA has requested that each of the Michigan Tribal Nations approve a resolution in support of the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES for their consideration and support; and

WHEREAS, The Little Traverse Bay Bands of Odawa Indians’ Chief of Police recommends that the Tribal Council support the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES and requesting that MCOLES support the Tribal Law Enforcement Initiative; and

WHEREAS, The Tribal Council has determined that it is in the best interests of the Waganiksing Odawak to support the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES for their consideration and support.

THEREFORE, BE IT RESOLVED that the Tribal Council supports the Voting Members of the Michigan Tribal Law Enforcement Association presenting the Tribal Law Enforcement Initiative to the Michigan Commission on Law Enforcement Standards for their consideration and support.

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on July 14, 2022 at which a quorum was present, by a vote of 7 in favor, 1 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima	X			
Tamara Kiogima				X
William Ortiz	X			
Aaron Otto		X		
Melissa Pamp	X			
Marty Van De Car	X			
Leroy Shomin	X			
Marcella R. Reyes	X			
Emily Proctor	X			

Date: 07.14.2022

Emily Proctor
Emily Proctor, Legislative Leader

Date: 07.14.2022

Marcella R. Reyes
Marcella R. Reyes, Tribal Council Secretary

Received by the Executive Office on 7-15-2022 by Sakote Worthington

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: 7-15-2022

Regina Gasco Bentley
Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on 07.15.2022

by Quinn Baker