

Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 05-0223-85

*Authorizing Initiation of Negotiation of a Mutual Aid Law Enforcement
Agreement with Manistee and Mason Counties*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the regulation, control and prohibition of certain conduct on the Tribe's Reservation is necessary to protect the health, security and general welfare of the Tribe, its members, the general public and property on the Reservation; and

WHEREAS, the Tribal Council has adopted a Law and Order - Criminal Offenses - Ordinance (#03-400-03) and a Criminal Procedures Ordinance (#03-300-03) under which the Tribe exercises criminal jurisdiction on the Tribe's Reservation lands in Manistee and Mason Counties; and

WHEREAS, the Tribe currently owns in fee or trust over 2,000 acres of land in Manistee County, most of which is located within the Reservation established under the 1836 Treaty of Washington and is contemplating the purchase of additional lands within the Manistee Reserve; and

WHEREAS, the Tribe currently owns approximately 612 acres of land in Mason County within the Reservation established under the 1855 Treaty of Detroit and is contemplating the purchase of additional lands within Mason County; and

WHEREAS, the Tribe desires to coordinate the use of its law enforcement personnel and resources with law enforcement agencies in Manistee and Mason Counties to better police the Tribe's Reservation Lands and to protect the public (both Indian and non-Indian) who are present on Tribal lands; and


WHEREAS, the Tribe's attorneys, in consultation with representatives of the Tribe's Public Safety Department, have prepared a Mutual Aid Law Enforcement Agreement which could meet both the Tribe's, and each respective County's, needs for better coordination of law enforcement services within each agency's respective jurisdiction; and

WHEREAS, the Tribe's Director of Public Safety has requested authorization to submit the proposed Mutual Aid Law Enforcement Agreement to representatives of the Manistee and Mason County Sheriff's Departments to initiate discussions aimed toward reaching a mutually acceptable mutual aid agreement.

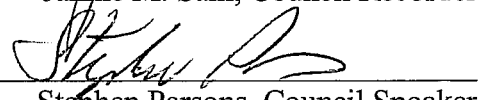
NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema and the Director of Public Safety to forward the draft Mutual Aid Law Enforcement Agreement, dated February 15, 2005, to the respective Sheriffs of Manistee and Mason Counties to initiate negotiations of a mutually acceptable mutual aid agreement for possible ratification by the Tribal Council.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on , 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Department of Public Safety