



## Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

### Resolution #22-0803-141

*Resolution of Support for Michigan Tribal Law Enforcement Association (MITLEA)  
to seek MCOLES recognition*

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; 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 Michigan Tribal Law Enforcement Association (“MITLEA”) is an unincorporated association comprised of the law enforcement agencies of the twelve (12) federally recognized Indian tribes in the State of Michigan (“Michigan Tribes”); and

WHEREAS, under the MITLEA Bylaws, the purpose of the MITLEA includes to secure unity of action in matters of mutual concern and to promote legislative efforts to improve tribal law enforcement; and

WHEREAS, under the MITLEA Bylaws, the voting members of the MITLEA is limited to the chief law enforcement officials of the Michigan Tribes (“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 Indian tribe 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 Indian tribe 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 Tribes do not qualify as a Law Enforcement Agency; and
- An individual who is employed as law enforcement officer by a Michigan Tribe 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 Tribes 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 Tribes approve a resolution in support of the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES and requesting that MCOLES support the Tribal Law Enforcement Initiative; and

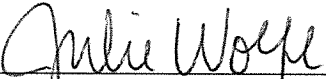
WHEREAS, the Director of Public Safety for the Little River Band of Ottawa Indians recommends that the Tribal Council support the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES and requesting that MCOLES support the Tribal Law Enforcement Initiative; and


WHEREAS, the Tribal Council has determined that it is in the best interests of the Little River Band of Ottawa Indians to support the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES and requesting that MCOLES support the Tribal Law Enforcement Initiative.

THEREFORE BE IT RESOLVED, LRBOI Tribal Council supports the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES and requesting that MCOLES support the Tribal Law Enforcement Initiative.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 1 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 3, 2022, via ZOOM and the Little River Band of Ottawa Indians Government Center with a quorum being present for such vote.

  
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Julie Wolfe, Tribal Council Recorder

  
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Shannon Crampton, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court