



Bois Forte

TRIBAL GOVERNMENT

RESOLUTION NO. 2-2016

WHEREAS, the Bois Forte Band of the Minnesota Chippewa Tribe is a federally-recognized Indian Tribe organized under the Indian Reorganization Act of 1934 and operating under the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the lawful governing body of the Band is the Bois Forte Reservation Tribal Council (RTC) and it is authorized to enact laws for public safety and the well-being of the Band; and

WHEREAS, the Bois Forte Reservation Tribal Council previously enacted the Bois Forte Sex Offender Registration and Notification Act (SORNA) Code; and

WHEREAS, in order to ensure the effective enforcement of the SORNA Code and provide the Bois Forte Tribal Court with specific sentencing options for sex offenders, amendments to the Bois Forte Criminal Code are desirable; and

NOW THEREFORE BE IT RESOLVED that the Bois Forte Criminal Code is amended as follows:

Adding a Subdivision 7 to Section 508.1, as follows:

Subd. 7. Sentencing of Sex Offenders

Upon conviction of an offense that is a "sex offense" as defined in section 2.01I of the Bois Forte Sex Offender Registration and Notification Act Code, the Court shall inform the offender of the registration requirements of that Code and may impose as part of the sentence:

- (1) a restriction against residing within 2,000 feet of any school, child care facility, youth activity center, playground, park, or ballfield;
- (2) a requirement that the offender participate in and successfully complete a sex offender treatment program;
- (3) a prohibition against direct or indirect contact including through a third person, with the victim of the offense without the prior approval of the victim, the offender's therapist, and the Court; or

- (4) in the event the victim was a minor, a prohibition against contact with other minors without the prior approval of the Court and proof of successful completion of a sex offender treatment program.

and

Add as a new Section 608.06:

Section 608.06. SORNA Code Violations

Any person who knowingly fails to register, update a registration, or provide information as required by the Bois Forte SORNA Code is guilty of a Class I misdemeanor.

Section 608.07 Exclusion Zones for Sex Offenders

Any person who has been convicted of a sex offense as defined in the Bois Forte SORNA Code who:

- (1) resides within 2,000 feet of; or
- (2) enters upon the property, including the curtilage of

any school, child care facility, youth activity center, playground, park or ballfield is guilty of a Class 1 misdemeanor.

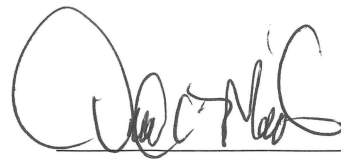
BE IT FURTHER AND FINALLY RESOLVED that the foregoing amendment shall be effective upon adoption of this Resolution.

Certification

We do hereby certify that the foregoing resolution was duly presented and enacted upon by a vote of 4 for and 0 against, 0 abstaining at the meeting of the Bois Forte Reservation Tribal Council held on August 5, 2015, with a quorum present, at Nett Lake, Minnesota.



Kevin W. Leecy
Chairman



David C. Morrison, Sr.
Secretary-Treasurer