



# *Bois Forte*

## TRIBAL GOVERNMENT

### RESOLUTION NO. 79-2025

- WHEREAS,** the Bois Forte Band of the Minnesota Chippewa Tribe (“Band”) 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 its members; and
- WHEREAS,** the RTC previously enacted the Bois Forte Sex Offender Registration and Notification Act (“SORNA”) Code, as amended, in order to protect the Reservation community and the public from sex offenders and predators; and
- WHEREAS,** despite the public safety protections afforded by the Band’s criminal laws, including the requirements underlying the Band’s SORNA Code, jurisdictional gaps coupled with prosecutorial declinations by the federal government for crimes occurring within the Band’s Territory have resulted in non-Native crime within the Band’s Territory often going unpunished—especially where the victim is a Band member; and
- WHEREAS,** Native women who live on tribal lands are far more likely to be victims of sexual violence than any other demographic group living in the United States with the vast majority of these crimes being perpetrated by non-Native men; and
- WHEREAS,** Native children have suffered disproportionately high rates of sexual abuse as compared to their non-Native counterparts at the hands of non-Native individuals and organizations, resulting in generations of historical trauma, and there is no resource that is more vital to the continued existence and integrity of the Band than its children; and
- WHEREAS,** the protection of Band members, particularly women and children, residing within the Band’s jurisdiction is one of the most vital and solemn duties that the Band can undertake; and
- WHEREAS,** for the reasons described herein, the RTC has determined that non-Band member sex offenders present within the Band’s Territory pose an ongoing, direct, and credible threat to the safety, security, health, peace, morals, and well-being of the Band, its women, children, elders and members, and other persons within the territory of the Band, such that their exclusion is necessary; and

**WHEREAS**, to address this epidemic of sexual violence against Band members, the RTC has incorporated the following Section 8.03(B) into the SORNA Code on February 11, 2025, pursuant to its inherent authority to take action to remove, exclude, or otherwise banish any person from the Band's territory in order to protect the public safety:

- Sex offenders who are not enrolled members of the Bois Forte Band of Chippewa shall not enter the Band's territorial jurisdiction for any purpose, except as needed to comply with an Order of the Bois Forte Tribal Court that expressly directs the sex offender to be present in person for Court proceedings or as authorized in a Resolution of the Bois Forte Reservation Tribal Council. Any non-Band member sex offender in violation of this section shall be subject to trespass laws and removal.

**WHEREAS**, the RTC now desires to enforce Section 8.03(B) of the SORNA Code by establishing a protocol for vetting those subject to exclusion and providing appropriate notice and process for those deemed subject to the exclusion.

**NOW THEREFORE BE IT RESOLVED**, that the RTC establishes the following protocol for enforcing Section 8.03(B):

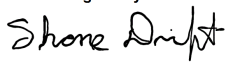
1. Any person who believes that a sex offender is or may be present within the Band's territorial jurisdiction should inform the Band's SORNA Compliance Officer.
2. The SORNA Compliance Officer in coordination with the Tribal Prosecutor shall collect all appropriate information, and determine if the individual satisfies the definition of a sex offender (as that term is defined in the Band's SORNA Code), if the individual is a Band member, and whether the individual is present within the Band's territorial jurisdiction.
3. If the individual is a non-Band member sex offender who is present within the Band's territorial jurisdiction, the SORNA Compliance Officer shall send a Notice of Exclusion along with any supporting documentation to the RTC. The Notice of Exclusion shall include, at a minimum:
  - a. a notice of the offender's temporary exclusion from the Band's territorial jurisdiction for as long as the person remains a "sex offender" as defined under the Band's SORNA Code or a period of 10 years, whichever comes first;
  - b. a statement that the RTC may renew an exclusion that expires after 10 years upon a finding that the offender poses an ongoing threat to the health, safety, or welfare of the Band or persons residing with the Band's jurisdiction based on an assessment of (i) factors to be determined by the RTC and (ii) any submissions or statements provided to the RTC by the offender who shall be


- provided notice and an opportunity to be heard regarding the decision to renew; and
- c. the exceptions to the exclusion;
  - d. the consequences of violating the Notice; and
  - e. the offender's opportunity to challenge the exclusion in writing within 15 days of the Notice being served by submitting via U.S. Mail or email a written challenge directed to the RTC specifying the reasons the offender does not satisfy the definition of a "sex offender" under the SORNA Code.
4. If the RTC finds that the individual in question is subject to exclusion under Section 8.03(B) of the SORNA Code based on the documentation submitted, the RTC will approve and execute the Notice of Exclusion and return it to the SORNA Compliance Officer.
  5. The SORNA Compliance Officer will coordinate with the Bois Forte Police Department to personally serve the offender with the Notice of Exclusion.
  6. If the individual challenges the exclusion per the requirements of the Notice of Exclusion, the SORNA Compliance Officer in coordination with the Tribal Prosecutor shall review the challenge, determine whether the offender satisfies the definition of a "sex offender" under the SORNA Code, and shall make a recommendation to the RTC regarding disposition of the challenge. The RTC shall determine in its sole discretion whether exclusion should be upheld or reversed based on the challenge submitted.

**BE IT FURTHER AND FINALLY RESOLVED**, that the SORNA Compliance Officer in coordination with the Tribal Prosecutor shall develop a Notice of Exclusion that complies with the requirements of this Resolution for use in enforcing Section 8.03(B) of the SORNA Code.

### Certification

We do hereby certify that the foregoing Resolution was duly presented and acted upon by vote of 2 for, 0 against, 0 silent, with a quorum of 3 being present at a meeting of the Bois Forte Reservation Tribal Council held on March 5, 2025, at Nett Lake, Minnesota, on the Bois Forte Reservation.

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Shane Drift  
Vice-Chairperson

DocuSigned by:  
  
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Tara Geshick  
Secretary-Treasurer