

# TABLED

CHEROKEE COUNCIL HOUSE  
CHEROKEE NORTH CAROLINA

Date: APR 06 2023

ORDINANCE NO.: 549 (2023)

*An ordinance to create a new C.C. Chapter 4 establishing the Division of Law Enforcement, which will include the Tribe's existing law enforcement programs, to provide that the Division will be managed by the Chief of Police, and to provide uniform minimum standards for law enforcement activities.*

**WHEREAS**, for decades, the Tribe has been providing policing and other law enforcement services under its inherent sovereign authority and as an important exercise of self-determination; and

**WHEREAS** the Tribe's policing and law enforcement services are provided through several departments and entities that have expanded organically over the years to respond to increasingly complex community needs that sometimes require a specialized response by the Tribe; and

**WHEREAS** this type of growth has resulted in deficiencies in the Cherokee Code as to the authority and coordination of the different departments and entities; and

**WHEREAS**, with the expansion of law enforcement services through various programs and entities it is necessary to ensure that all general policing and law enforcement activity is coordinated through one Law Enforcement Division; and

**WHEREAS** it is also necessary to ensure that there is a single minimum standard of practice for law enforcement officers, regardless of which Tribal program or entity employs the officer.

**NOW THEREFORE BE IT ORDAINED**, by the Tribal Council of the Eastern Band of Cherokee Indians in Council assembled at which a quorum is present, that the Cherokee Code shall be amended by addition thereto of a new chapter, to be designated as Chapter 4, creating the Law Enforcement Division, and amending certain other sections of the Code, to read as provided in the attached Exhibit A.

**BE IT FINALLY ORDAINED**, that all resolutions and ordinances inconsistent with this ordinance are rescinded, and this ordinance shall become effective upon ratification by the Principal Chief.

*Submitted by: Hannah Smith, Office of the Attorney General.*