

**Comment 1.**

Submitted: 2016-05-07 04:00:34 +00:00

Name: Vinne

Email: hl6czkmm4@outlook.com

Comment: I never thought I would find such an everyday topic so enlightening!

Tribal Member

Resident

**Response: N/A**

**Comment 2.**

Submitted: 2016-05-07 04:00:33 +00:00

Name: Vinne

Email: hl6czkmm4@outlook.com

Comment: I never thought I would find such an everyday topic so enlightening!

Tribal Member

Resident

**Response: N/A**

**Comment 3.**

Submitted: 2016-04-20 20:18:54 +00:00

Female

Tribal Member

Resident

52 Years of Age

Comment: Several comments:

In regards to Probate, a problem I encountered in tribal court, the BIA probate had already occurred and I had passed when I submitted payment for funeral costs. Judge told me to file in tribal court, tribal judge heard the case and let the personal representative appointed know they needed to pay funeral expenses. That is all that occurred, no follow-up. The personal representative had already sold all of decedent's property right after death, collected TRE and Range capital credits right after death without being appointed personal representative. It wasn't until we as decedent's father & sister filed for personal representative did the decedent's daughter file for personal representative and receive it. The reason I asked for funeral expenses to be reimbursed for \$1800.00 was decedent's daughter was I was purchasing land from decedent, had already paid him most of what he was asking. BIA told us to do gift deed instead of land sale as it did not take as long, I lost out on these funds. Also decedent's daughter was slandering me all over social media, etc., etc., etc.

Second comment is in regards to livestock. In the above matter, decedent and I owned 40 acres together. I was utilizing the land as I was purchasing the land from my brother, when he passed away decedent's daughter & others began harassing me through my livestock. Wanted my livestock off the 40 acres we co-owned interest in. Broken glass everywhere, rusted barbed wire, nails & the like. Turned it in to the police 2 times, in the

end nothing could be done because this type of livestock endangerment is not in the law and order code. I moved my livestock off as they are registered and began leasing land from the tribe. Thats the thanks we get.

Thank you for hearing our comments!

**Response: The Probate Code provides in the draft 10-4-10(4)(b)(ii) and 9-4-10 (B)(4)(b)(ii) of current Probate code that: "Expenses of last illness and burial;" are to be part of the Personal Representative's claim evaluation. As the second highest priority, the expenses of the burial should have been paid second and only after Expenses of the administration or the estate were paid. The Final Report, as per 10-4-11 should account for the appraisal of assets and liabilities. It is difficult to speculate on the reasons for not having the funeral expenses paid: ie, no funds of the estate, administration of the estate costs were paid and not to other priorities were because of lacking funds.**

**Second comment response: The Law and Order Code and the Revised Law and Order Code do not have provisions for "livestock endangerment." The Tribal Council could consider language or a provision to protect livestock from being endangered.**

Comment 4:

Submitted: 2016-04-04 04:43:35 +00:00

Name: Meonahane

Tribal Member

Resident

Comment: In Title 7 Chapter 9 Section 2 (7-9-2) Drug Abuse, I feel as if possibly making Marijuana possession, use, planting, cultivating etc; only a class "C" Offense or even possibly taking it out of our Law and Order Code. If only allowed to make a Class "C" Offense, have the fine only be \$10.00 with no court fees.

In Title 7 Chapter 9 Sections 3-6; Decriminalize Alcohol all in all. Decriminalization I feel would allow our Law Enforcement, Courts and Corrections; the three main branches of the Criminal Justice System, more able to focus on major crimes against people, property etc.

To Decriminalize both marijuana and alcohol, making meth a Class A Offense to also lead to federal charges, I feel, would better help our tribe combat Meth Distribution, Use and Addiction. I do understand Alcohol is a big problem, but to decriminalize, I feel, would decrease its use, crimes that involve it, free up jail space by doing away with Intoxication arrests; but maintain DUI and all other Class B Offenses related to the use of alcohol, open container laws etc.

By also decriminalizing Marijuana, it would free up a substance or supplement that meth addicts would be able to utilize in order to come off their highs or binges and allow them to slowly start their process of recovery from meth. I know for sure of a few dozen

people, whom I have personally spoken to, that if the tribe is to decriminalize/legalize Marijuana for recreational use, they would be able to smoke it, eat it or experiment by making face creams, pain rubs or even lotions in order to help repair their skin of use of METH and also help curb withdrawal symptoms.

**Response: Marijuana Offenses were an offense because Marijuana is a controlled substance. Under the Revised Criminal Offense Code Marijuana possession is categorized into separate types of offenses for possession based on weight and range from being Class A, B and C offenses. However, manufacturing, distributing and use remain offenses and a clarified in the revised Criminal Offense Code 7-9-1; 7-9-2.**

**Alcohol remains unchanged as a criminal offense in the revised Code. The Tribal Council may consider keeping alcohol offenses as no longer necessary and remove the prohibition statutes.**

**Comment: 5**

Submitted: 2016-03-31 16:16:07 +00:00

Name: lavaonda brady

email: lafida\_brady@yahoo.com

Tribal Member

Resident

Comment: there is a process follow it, if it is to be legal

**Response: N/A**

**Comment: 6**

Date: 02/08/16 06:21PM

From: <>

Subject: Northern Cheyenne Law Comment

If not Anonymous:

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Name:

Email:

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If Anonymous:

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Gender: Female

Status: Tribal Member, Resident

Age: test

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Comments: None

**Response: N/A**

**Comment: 7**

03/17/16 01:53PM

From: <>

Subject: Northern Cheyenne Law Comment

If not Anonymous:

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Name:

Email:

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If Anonymous:

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Gender: Male

Status: Tribal Member, Resident

Age: 27  
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Comments: In Title 7 (Offense Code):

Title 7 Chapter 5B: Endangering the Welfare of a Child should be raised to a Class A Offense, as the Children of our Tribe are becoming so overwhelmingly uncared for that the Courts needs to recognize this matter. There are literally children living in trap houses on the reservation and law enforcement or social services fails to do anything; having this offense become a more serious offense would, I think, allow our tribal court to effectively take the measures needed in order to care for our children and hold violating parents accountable and order children to alternate care until violating parents can prove, effectively prove, their ability to care for children, showing proof of employment, clean urine, improved living quarters.

In Title 7 Chapter 5 Truancy; there are a lot of children, mainly middle and high school students who fail to go to school, in this matter, first and foremost, truancy should be raised to a Class B Offense, education is the cornerstone for our youth, we should have them embrace it and be able to achieve so much more than just Welfare. So in raising this offense to a Class B Offense Children should be reprimanded to Community Service Hours and a Fine, to which may either be paid or Served with Community Service. Failure to adhere to Community Service shall be a violation of any new or updated Truancy code that a guilty party should be remanded into custody for a term no longer than 30 days at which time a TRO, Temp. Release Order, for school only, will be provided. This should be done to keep our children in school and show them that the tribe and courts will not allow them to skip school to party, be lazy and stay home. Those parents guilty of failing to send children to school for a good reason will also be held accountable by being fined no more than \$100.00 per incident.

Title 7 Chapter 5-10 Domestic Abuse should also include Domestic Abuse and Abuse of Children. There are to many kids who go hungry, get beat or are subject to public embarrassment by being yelled at by an angry lazy mom, dad or guardian. Our people used to hold Children, Elderly and Women in a very High regard, what happened to that I have no clue. I feel the consequences for violating this offense are good enough, but adding Abuse of Children in with 7-5-10 would be great. Also in 7-5-10 in D-5 Holding time and Bail, the aggressor should not be allowed only a cooling of period. I do believe

in accordance with Rule 9 or 7 the aggressor may be held not more than 72 hours before being heard before a judge. This time should be mandatory; say the incident happened on a Friday night, the individual would still make the docket for a Monday arraignment.

**Response: The child endangerment remains a Class B Offense. The Prosecution Office along with the BIA Social Services are charged with working together to preserve the family unit. The child endangerment statute provides the Prosecution Office with the discretion to seek prosecution and incarceration for individuals that violate this provision. The Prosecution Office can plea out sentencing with conditions that usually are intended to rehabilitate the offender in order to preserve the family unit. The Social Services Department also maintains a policy of maintaining a family unit and has discretion to ask the Court to restrict or limit the offender's contact with the children, however every case is determined on a case-by-case basis. The new, revised Juvenile Code, Title 3 is meant to provide clearer rules for the treatment of children as well as protection of their interests, which may not be to preserve the family unit.**

**Truancy remains a Class C Offense. The revised Juvenile Code, Title 3, provides a component of education to be maintained through a child's process through the Juvenile Court. It is currently difficult for the Juvenile Corrections Department to meet such a wide array of educational requirement for the five different school districts that provide educational services for the Northern Cheyenne Reservation. The intent of the truancy statute is to provide an incentive for truant students to attend school regularly instead of becoming part of the juvenile justice system. Parents and guardians play the most important role for the success of a children's attendance and overall education. The school districts also play an important role for maintaining a commitment for students to attend school. High turnover of teachers and lack of community buy in are a couple of obstacles the schools face.**

**The revised Domestic Abuse statute, 7-5-11 includes all persons of the "family," and does not limit domestic abuse to just adult couples. The intent is to provide protection for all members of a household from perpetrators of domestic violence.**

**Comment: 8**

03/16/16 01:26PM

From: <>

Subject: Northern Cheyenne Law Comment

If not Anonymous:

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Name:

Email:

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If Anonymous:

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Gender: Male

Status: Tribal Member, Resident

Age: 27

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Comments: In Ordinance 9 (97) Safety Belt Ordinance; the violation, for the sake and safety of our children, should be raised from \$25.00 per incident to the following:  
1 Child Unrestrained in a Moving Motor Vehicle on a Public Road, including all Public Dirt Roads, violators will be cited \$75.00  
2 or More Children Unrestrained in a moving Motor Vehicle on a Public Road, including all Public Dirt Roads; violators will be cited the initial \$75.00 plus an additional \$25.00 for each child unrestrained in accordance to Section 400 and 400a of Ordinance 9 (97).

**Response: The revised Law and Order Code, Title 8 Traffic Code, Chapter 7, provides a minimum of \$25.00 and a maximum of \$50.00 fine for failing to have children and/or adults in seat belts while operating a motor vehicle. The fine schedule places some discretion on the Court, Prosecution in how much the fine should be based on the facts of each case.**