

ORDINANCE
OF THE
HOOPA VALLEY BUSINESS COUNCIL
OF THE
HOOPA INDIAN RESERVATION
HOOPA, CALIFORNIA

ORDINANCE NO: 1-81

DATE APPROVED: February 19 1981

SUBJECT: TRIBAL ORDINANCE FOR THE ESTABLISHMENT OF A REWARD FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF ANY PERSON OR PERSONS RESPONSIBLE FOR THE DESTRUCTION, BURGLARY, AND THEFT OF TRIBAL PROPERTY.

WHEREAS: The Hoopa Valley Tribe did on June 20, 1972, adopt a Constitution and By-Laws which was approved by the Commissioner of Indian Affairs on August 18, 1972, and Article IX, Section 1 (K) of this Constitution and By-Laws authorizes the Hoopa Valley Business Council, "to promulgate and enforce ordinances governing the conduct of members of the Hoopa Valley Indians", and

WHEREAS: Article IX, Section 1 (L) of the aforementioned Constitution and By-Laws authorizes the Hoopa Valley Business Council, "to safeguard and promote the peace, safety, morals, and general welfare of the Hoopa Valley Indians by regulating the conduct of trade and the use and disposition of property upon the reservation, and,

WHEREAS: There has been a substantial increase in destruction of Tribal Property; plus numerous burglaries and theft of Tribal Property which have resulted in increased insurance premiums and additional expenditures for capitol assets, and,

WHEREAS: The Council desires to encourage participation and cooperation of the community in protecting tribal assets in furtherance of a law abiding community, and,

NEW THEREFORE BE IT RESOLVED:

1. That the Hoopa Valley Business Council herewith authorizes establishment and installation of a telephone number and procedure to protect the identity of anonymous informants, and,
2. That the Hoopa Valley Business Council herewith approves the offering of a a One thousand dollar (\$1,000.00) reward for information leading to the arrest and conviction of any person or persons responsible for the following:
 - a. Destruction and damage to Tribal Property in excess of Five hundred dollars (\$500.00).
 - b. Burglary and Theft of Tribal Property; plus any criminal activity constituting a felony under applicable State and Federal Law.

C E R T I F I C A T I O N

I, the undersigned, as Chairman of the Hoopa Valley Business Council do hereby certify that the Hoopa Valley Business Council is composed of eight members of which 6 were present, constituting a quorum at a Regular Meeting thereof; duly and regularly called, notices, convened and held this 19th day of February, 1981, and this ORDINANCE was duly adopted by a vote of 2 for and 1 against; and one abstaining and said ORDINANCE has not been rescinded or amended in any way.

DATED THIS 19th DAY OF February 1981.

Dale Risling
DALE RISLING, CHAIRMAN
HOOPA VALLEY BUSINESS COUNCIL

ATTEST: Deirdre R. Young
DEIRDRE R. YOUNG, EXECUTIVE SECRETARY
HOOPA VALLEY BUSINESS COUNCIL

ORDINANCE
OF THE
HOOPA VALLEY TRIBAL COUNCIL

TITLE NO. 20

ORDINANCE NO: 1-81 Amendment No. 1

DATE APPROVED: August 18, 1994

SUBJECT: AMENDING ORDINANCE 1-81 EMERGENCY ACTION TO SUPPRESS ARSON

- WHEREAS: The Hoopa Valley Tribe on June 20, 1972, adopted a Constitution and By-Laws which was approved by the Commissioner of Indian Affairs on August 18, 1972, and ratified and confirmed by Congress, PL 100-580, § 8, 102 Stat. 2932 (1988);
- WHEREAS: Article V of the Constitution establishes a Hoopa Valley Tribal Council as the governing body of the Tribe;
- WHEREAS: Article IX of the Constitution grants to the Tribal Council the power and the duty to administer tribal property, § 1(a), and to safeguard and promote the peace, safety, morals and general welfare of enrolled members of the Hoopa Valley Tribe by regulating the use and disposition of property on the Hoopa Valley Reservation, § 1(1);
- WHEREAS: The Hoopa Valley Tribe, proceeding through the Tribal Council, retains the inherent sovereign authority to suppress arson on the Hoopa Valley Reservation;
- WHEREAS: On the afternoon of August 18, 1994, there were at least 15 fires burning on 130 acres, 250 acres having burned in just the last few weeks, the net financial loss to the Tribe for 75 acres of standing timber burned on Supply Creek being roughly \$100,000, there are 170 or more fire suppression personnel on site, many of whom are enrolled tribal members, at least 10 fire fighters have sustained serious injuries while fighting fires; if the present fires or subsequent fires get out of hand, profound loss of life, homes, forest and watershed can occur;
- WHEREAS: The Tribal Council is informed that the source of the fires is arson;
- WHEREAS: In light of the recitals herein and the information on which they are grounded, supplied by Hoopa tribal members and the Hoopa Valley Tribal Police and Fire Suppression personnel, the Tribal Council finds and hereby determines that there is an immediate threat to the Tribe, its enrolled tribal members and its resources and assets, and further that emergency regulation is called for to reduce the risk of harm to Hoopa children, women and men, their homes, their financial security and natural resources by continuing arson.

NOW THEREFORE BE IT RESOLVED THAT: the Tribal Council hereby invokes § 6.10.1 of the Legislative Procedures Act, Ordinance No. 4-89, and amends Ordinance No. 1-81, passed February 19, 1981, by inserting the following new language:

3. Arson - the Hoopa Valley Tribal Council authorizes and instructs the Chairman to offer a \$10,000.00 reward for information leading to the arrest and conviction of a person or persons responsible for committing arson on the Hoopa Valley Reservation; to carry out a public information plan intended to suppress arson; to obtain from federal, state and local officials their priority assistance in

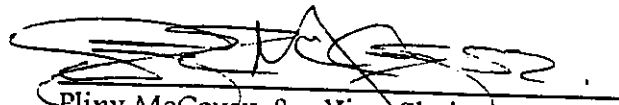
investigating and prosecuting incidents of arson; and to initiate the process for exclusion from the Hoopa Valley Reservation of convicted arsonists.

THEREFORE BE IT FURTHER RESOLVED THAT: the Tribal Council hereby instructs the Chairman to solicit public opinion respecting suppression of arson and to place this amended language on the Tribal Council Agenda to be considered for permanent adoption; this ordinance shall be routed to tribal departments and components in conformance with § 6.3 of the Legislative Procedures Act to obtain their comments and criticism.

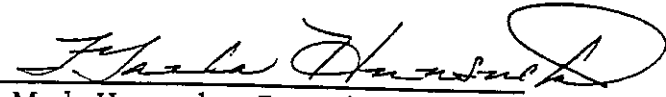
CERTIFICATION

I, the undersigned, as Chairman of the Hoopa Valley Tribal Council, do hereby certify that the Hoopa Valley Tribal Council is composed of eight (8) members of which five (5) were present, constituting a quorum by Special Consent thereof; duly and regularly called, noticed, convened and adopted by a vote of five (5) in favor, zero (0) opposed and zero (0) abstaining, and that said resolution has not been rescinded or amended or modified in any way.

Dated this eighteenth day of August 1994.


Fliny McCovey, Sr., Vice-Chairman
Hoopa Valley Tribal Council

Attest:


Marla Hunsucker, Executive Secretary
Hoopa Valley Tribal Council

ORDINANCE
OF THE
HOOPA VALLEY TRIBAL COUNCIL

TITLE 20

ORDINANCE NO: 1-81 Amendment No. 2

DATE APPROVED: August 25, 1994

SUBJECT: AMENDING ORDINANCE 1-81 EMERGENCY ACTION TO ELIMINATE THE SALE OF ILLICIT DRUGS ON THE HOOPA VALLEY INDIAN RESERVATION

- WHEREAS: The Hoopa Valley Tribe on June 20, 1972, adopted a Constitution and By-Laws which was approved by the Commissioner of Indian Affairs on August 18, 1972, and ratified and confirmed by Congress, PL 100-580, § 8, 102 Stat. 2932 (1988);
- WHEREAS: Article V of the Constitution establishes a Hoopa Valley Tribal Council as the governing body of the Tribe;
- WHEREAS: Article IX of the Constitution grants to the Tribal Council the power and the duty to administer tribal property, § 1(a), and to safeguard and promote the peace, safety, morals and general welfare of enrolled members of the Hoopa Valley Tribe by regulating the use and disposition of property on the Hoopa Valley Indian Reservation, § 1(l);
- WHEREAS: The Hoopa Valley Tribe, proceeding through the Tribal Council, retains the inherent sovereign authority to eliminate the sale of illicit drugs on the Hoopa Valley Indian Reservation;
- WHEREAS: Drug dependency in Hoopa has destroyed families, children lost to their parents and parents lost to their children; widespread access to hard drugs is on the increase and has not been suppressed by law enforcement agencies; related crime and physical and emotional abuse are rampant in the wake of long term hard drug addiction; the Tribal Council is mindful that the sale of hard drugs can be eliminated only if Tribal members assist tribal government and law enforcement agencies;
- WHEREAS: The Tribal Council is informed that the sources of illicit drugs are often dealers located on the Hoopa Valley Indian Reservation, often located in tribal housing, on tribal trust land or on land held in fee;
- WHEREAS: In light of the recitals herein and the information on which they are based, reported by Hoopa tribal members and the Hoopa Valley Tribal Police, the Tribal Council finds and hereby determines that there is an immediate threat to the Tribe, its enrolled tribal members and its resources and assets, and further that emergency regulation is called for to reduce the risk of harm to Hoopa children, women and men, their homes and businesses and their financial security and their safety;

NOW THEREFORE BE IT RESOLVED THAT: the Tribal Council hereby invokes § 6.10.1 of the Legislative Procedures Act, Ordinance No. 4-89, and amends Ordinance No. 1-81, passed February 19, 1981, by inserting the following new language:

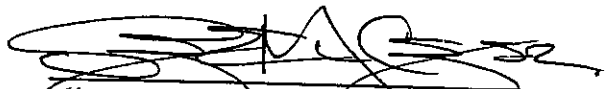
4. Sale of Illicit Drugs - the Hoopa Valley Tribal Council authorizes and instructs the Chairman to offer a \$5,000.00 reward for information leading to the arrest and conviction, in Federal or State Courts, of a person or persons selling, or possessing with the intent to sell, illicit drugs on the Hoopa Valley Indian Reservation; to carry out a public information plan intended to eliminate the sale of illicit drugs from the Hoopa Valley Indian Reservation; to obtain from federal, state and local officials their priority assistance in investigating and prosecuting drug dealers; and to initiate the process for exclusion from the Hoopa Valley Reservation, for a minimum of one year, of persons selling, or possessing with the intent to sell, illicit drugs .

THEREFORE BE IT FURTHER RESOLVED THAT: the Tribal Council hereby instructs the Chairman to solicit public opinion respecting the sale of illicit drugs and to place this amended language on the Tribal Council Agenda to be considered for permanent adoption; this ordinance shall be routed to tribal departments and components in conformance with § 6.3 of the Legislative Procedures Act to obtain their comments and criticism.


CERTIFICATION

I, the undersigned, as Chairman of the Hoopa Valley Tribal Council, do hereby certify that the Hoopa Valley Tribal Council is composed of eight (8) members of which six (6) were present, constituting a quorum by a regular meeting thereof; duly and regularly called, noticed, convened and adopted by a vote of five (5) in favor, zero (0) opposed and zero (0) abstaining, and that said resolution has not been rescinded or amended or modified in any way.

Dated this 25th day of August 1994.


Fliny McCovey, Sr., Vice Chairman
Hoopa Valley Tribal Council

Attest:


Marla Hunsucker, Executive Secretary
Hoopa Valley Tribal Council