

**RESOLUTION NO. 60-07**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION ELECTING TO PARTICIPATE IN THE NATIONAL SEX OFFENDER REGISTRY SYSTEM AS A REGISTRATION JURISDICTION**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

**WHEREAS**, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government-to-government relationship with the United States of America;

**WHEREAS**, the Cherokee Nation has a compelling interest in promoting public safety on tribal lands and protecting tribal citizens from violent crime;

**WHEREAS**, the Cherokee Nation also has a compelling interest in protecting tribal sovereignty and tribal jurisdiction over tribal lands.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Cherokee Nation hereby elects to participate as and carry out the functions of a registration jurisdiction in the National Sex Offender Registry system as outlined in Section 127 of the Adam Walsh Child Protection and Safety Act of 2006 (United States Public Law 109-248);


**BE IT FURTHER RESOLVED BY THE CHEROKEE NATION**, that the Cherokee Nation intends to seek funds from the Department of Justice under the Sex Offender Management Assistance Program authorized by United States Public Law 109-248, and the Cherokee Nation Marshal and/or Attorney General are hereby so authorized to seek such funds;

**BE IT FURTHER RESOLVED BY THE CHEROKEE NATION**, that the Cherokee Nation authorizes the Marshal and/or the Attorney General to enter into any such cooperative agreement(s) that s/he may deem necessary to best implement the requirements of the National Sex Offender Registration and Notification System within the Cherokee Nation jurisdiction;


**BE IT FINALLY RESOLVED BY THE CHEROKEE NATION**, that the Cherokee Nation does not consent to any exercise of state jurisdiction on tribal lands under the National Sex Offender Registry System or United States Public Law 109-248.

**CERTIFICATION**


The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 11<sup>th</sup> day of June, 2007, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

  
Meredith Frailey, Speaker  
Council of the Cherokee Nation

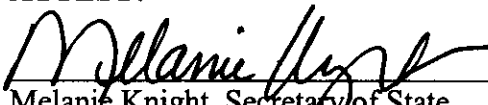
**ATTEST:**

  
\_\_\_\_\_  
Don Garvin, Secretary  
Council of the Cherokee Nation

Approved this 15<sup>th</sup> day of June, 2007.

  
\_\_\_\_\_  
Chadwick Smith, Principal Chief  
Cherokee Nation

**ATTEST:**

  
\_\_\_\_\_  
Melanie Knight, Secretary of State  
Cherokee Nation

# Cherokee Nation Act/Resolution Proposal Form

**ADMINISTRATIVE CLEARANCE:**

Program/Project Manager:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Department Director:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Attorney General:

*[Signature]*  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Finance Approval (If needed):

Signature \_\_\_\_\_ Date \_\_\_\_\_

Government Resources Group:

*[Signature]* 5/14/07  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Administration Approval:

*[Signature]* 5/14/07  
Signature \_\_\_\_\_ Date \_\_\_\_\_

**LEGISLATIVE CLEARANCE**

Legislative Aide:

*[Signature]* 5/17/07  
Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Standing Committee:

*[Signature]*

*[Date]*  
Next Meeting Date

Chairperson:

*[Signature]*  
Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Returned to Presenter: \_\_\_\_\_

Date

Act

Resolution

**TITLE:** A RESOLUTION ELECTING TO PARTICIPATE IN THE NATIONAL SEX OFFENDER REGISTRY SYSTEM AS A REGISTRATION JURISDICTION

Department Contact: Becky M. Johnson, AG's Office

Resolution Presenter: Becky M. Johnson, AG's Office

Council Sponsor: Councilwoman Meredith Frailey

**NARRATIVE:**

The purpose of this resolution is to effectuate the Cherokee Nation's election to participate as a registration jurisdiction in the National Sex Offender Registry system. Such an election by federally recognized Indian tribes is required pursuant to Section 127 of the Adam Walsh Child Protection and Safety Act of 2006 (United States Public Law 109-248). In instances where an Indian tribe fails to make an election, the registration jurisdiction automatically is delegated to the state pursuant to federal law. This election will require the Nation to develop and maintain a sex offender registration database available to the public for those who reside, work, and are employed on Cherokee Nation Indian Country. The election required pursuant to Section 127 must be made on or before July 27, 2007, or the jurisdiction over sex offender registration on Cherokee Nation jurisdiction will devolve to the State of Oklahoma.

Full implementation of the registration law must be completed on or before July 27, 2009. Making the election to participate as a registration jurisdiction is the first step in the implementation process.

**RECEIVED**

MAY 08 2007

GOVERNMENT RESOURCES

05-17-07 09:15:00