



U.S. Department of Justice

Office of the Chief Information Officer

Washington, D.C. 20530

FBI CJIS Division

Date: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

The Department of Justice (DOJ), CJIS Systems Officer (CSO) is submitting a request on behalf of the [REDACTED] Tribe: Tribal Court (Civil) to be granted Originating Agency Identifier(s) (ORIs) by FBI CJIS. I have reviewed the below documentation and believe it is sufficient to grant the issuance of a limited access ORI.

To support this request, please find the attached documentation as submitted by the [REDACTED] Tribe: Tribal Court (Civil)

- Attachment 1 –Proof that the agency is an official governmental agency
- [REDACTED]  
[REDACTED]  
[REDACTED]
- Attachment 3 – Poof that the civil court is responsible for adjudicating a significant number of domestic violence and stalking cases

[REDACTED] Tribe: Tribal Court (Civil) contact information:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Upon issuance of the ORI(s), please provide the ORI number(s) to me in an official communication. Should you have any additional questions, please contact [REDACTED] at [tribalaccess@usdoj.gov](mailto:tribalaccess@usdoj.gov).

Respectfully,

Michael Roosa  
Assistant Director, Law Enforcement Services CJIS Systems Officer  
Department of Justice/JMD/OCIO

## **██████████ Tribal Court**

Information / Documentation required for application for Non-Criminal Justice Agency ORI  
(NCJA)

**1. Proof that the agency is an official governmental agency:**

Title 1 of the ██████████ Nation Code of Laws establishes the ██████████ Tribal Court and defines its jurisdiction. See copy of page 1 of title 1 ██████████ Nation Code of Laws. (Appendix A)

**2. Proof that the court has the authority to rule on mental health matters that would preclude an individual from obtaining a firearm (i.e. involuntary commitment, appointment of legal guardianship due to mental deficiencies, ect.)**

Title 2, section 2.05.070 of the ██████████ Code of Laws provides the authority for the ██████████ Tribal Court to rule on matters of Competency and Insanity defenses. In addition, Title 5B Elder and Vulnerable Adult Protection Code, 5B.01.010 provides legal authority as well. (Appendix C)

**3. Proof that the civil court is responsible for adjudicating a significant number of domestic violence and stalking cases.**

Year to date the ██████████ Tribal Court has opened 67 new criminal domestic violence cases, and is in the process of adjudicating these cases in accordance with the laws of the ██████████ In addition, the ██████████ Tribal Court has 38 new Civil Protection Order cases. See attached reports for additional information. ██████████ Code of Laws Title 5A Domestic Violence Code provides the legal authority to adjudicate Domestic Violence cases. (Appendix D)

██████████ Court

Information / Documentation required for application for Non-Criminal Justice Agency ORI  
(NCJA)

## Appendix A

Proof that the agency is an official governmental agency.

**TITLE 1**  
**CODE OF LAWS**  
**TRIBAL COURT ESTABLISHMENT AND ADMINISTRATION**

**Chapter 1.01 Establishment of Courts**

**1.01.010 Establishment of Courts**

There is hereby established for the [REDACTED] Nation on the [REDACTED] Reservation in the State of [REDACTED] a court to be known as the [REDACTED] Tribal Court, hereafter referred to as the Tribal Court, and [REDACTED] Tribal Court of Appeals, hereafter referred to as the Tribal Court of Appeals. It is the duty of all courts established under this Code to review, interpret, and enforce the laws of the [REDACTED] Nation.

**Chapter 1.02 Jurisdiction and Sovereign Immunity**

**1.02.010 [REDACTED] Tribal Court Jurisdiction Defined**

The jurisdiction of the Tribal Court and the effective area of this Code shall include all territory within the [REDACTED] Reservation boundaries, including fee patented lands, allotments, assignments, roads, waters, bridges, and lands used for agency purposes, and lands outside the boundaries of the Reservation held in trust by the United States for individual [REDACTED] Indians or for the [REDACTED] Tribe of the [REDACTED] Reservation, and it shall be over all persons found therein. It shall include jurisdiction over members of the tribe when fishing at usual and accustomed grounds and stations recognized by the [REDACTED] and when hunting or gathering roots and berries on open and unclaimed lands as guaranteed by the Treaty.

**1.02.020 Sovereign Immunity**

Nothing in this code shall be construed as a waiver of the sovereign immunity of the [REDACTED] Nation or any of its subordinate entities, organizations, agencies, or instrumentalities, unless such waiver is explicitly stated.

**1.02.030 Implied Consent**

Entrance, actions, or activities by any person on the [REDACTED] Reservation or lands within Tribal Court jurisdiction as defined in Section

1.02.010 of this Code shall be deemed equivalent to and construed to be an acceptance of the jurisdiction of the Tribal Court and a consent to such jurisdiction over his person concerning any legal action pursuant to this Code and shall further be deemed a consent to a service of summons or process by registered mail with return receipt requested at his last known address.

**1.02.040 Means to Carry Jurisdiction Into Effect**

When jurisdiction is vested in the Court, all the means necessary to carry it into effect are also given, and in the exercise of this jurisdiction, if the course of proceeding be not specifically pointed out by this code, any suitable process or mode of proceeding may be adopted which may appear most conformable to the spirit of Tribal Law.

**1.02.050 Limited Waiver of Sovereign Immunity**

The [REDACTED] [REDACTED] Indian Business Council, any subdivision, instrumentality, wholly owned entity, or affiliate of the Tribe or any of their respective officers, employees, or agents acting within the scope of their authority, shall be immune from suit in any civil action except as specifically waived by a [REDACTED] Indian Business Council resolution or ordinance referring to the sovereign immunity of the Nation. This immunity from suit is waived for the limited purpose of providing declaratory and prospective injunctive relief for actions brought in the [REDACTED] Tribal Court or Court of Appeals to protect rights guaranteed under Article VIII of the Constitution of the [REDACTED] Nation; provided, however, that the immunity of the [REDACTED] is not waived with respect to damages, costs, or attorneys fees, except with respect to any claim for which the [REDACTED] carries an active and enforceable insurance policy up to the amount of coverage provided in the policy; provided further, that no judgment on any claim may be for more than the amount of the insurance policy; and, provided further, that any judgment against the

TITLE 5A  
██████████ CODE OF LAWS  
DOMESTIC VIOLENCE CODE

**Chapter 5A.01 General Provisions**

**5A.01.010 Purpose**

The purpose of the Domestic Violence Code is to ensure the safety and protection of victims, to protect children from experiencing violence in their homes, to ensure the right of the public to a safe and secure community, to protect the community from the effects of violent acts, and to ensure that whenever an offense of Domestic Violence occurs, the offender incurs an obligation to the community. This Code recognizes that Domestic Violence comes in many forms, including physical, psychological/emotional, and sexual abuse, of a child, spouse, sibling, parent, or elder. This Code shall be interpreted and applied to give it the broadest possible scope to carry out these purposes.

**5A.01.020 Jurisdiction**

The Court shall exercise civil and criminal jurisdiction to carry out the purposes of this title, including retention of personal and subject matter jurisdiction for violations of its Orders of Protection that are alleged to have occurred outside of the boundaries of the ██████████ Reservation.

**5A.01.040 Definitions**

For the purposes of this Code, unless otherwise provided in this Code,

(a) "Victim Advocate" means an employee of or volunteer for a program for victims of domestic violence who:

- (1) has a primary function of providing legal assistance to or rendering advocacy-based counseling or assistance to victims of domestic violence, supervising the employees or volunteers of the program, or administering the program;
- (2) has undergone 30 hours of initial domestic violence training; and
- (3) works under the direction of a supervisor of the program, supervises

employees or volunteers, or administers the program.

(b) "crime involving domestic violence" means one or more of the following crimes when committed by a family or household member against another family or household member:

(1) offenses included under 18 U.S.C. § 1153, the Major Crimes Act, as now or hereafter amended;

(2) offenses included under the ██████████ Code of Offenses, Title 5, as now or hereafter amended: homicide, stalking, assault, assault and battery, abduction, subjection to maltreatment, arson, robbery, malicious mischief, trespass, burglary, and disobedience to a lawful order of Court when the order was entered for the purpose of protecting a victim of alleged domestic violence;

(3) offenses included under ██████████ Code of Laws, Title 5.9C, Sexual Offenses, as now or hereafter amended; and

(4) other criminal offenses included in the ██████████ Code of Laws, except a criminal violation charged under 8.06.030, when the perpetrator commits the offense in an attempt to assert power and control over the victim.

(c) "Domestic Violence" means the occurrence of one or more of the following acts by a family or household member, but does not include acts of self-defense:

(1) conduct that constitutes a crime of domestic violence as defined in this section;

(2) physically harming, attempting to physically harm, or placing a family or household member in reasonable fear of physical harm to him or herself or another family or household member. Reasonable fear may be produced by behavior which

██████ Tribal Court

Information / Documentation required for application for Non-Criminal Justice Agency ORI  
(NCJA)

## Appendix D

Proof that the Court is responsible for adjudicating a significant number of domestic violence  
and stalking cases.

Court Cases By Date  
From 01/01/2017 to 11/06/2017  
Case Type Civil with Protection-DV Sub-Type  
All Clerks  
All Judges  
Totals Only

Judge: ██████████	
Judge Case Total:	37
<hr/>	
Judge: ██████████	
Judge Case Total:	1
<hr/>	
Total Cases:	38

Court Cases By Date  
From 01/01/2017 to 11/06/2017  
Case Type Criminal with Domestic Violence Sub-Type  
All Clerks  
All Judges  
Totals Only

Judge: ██████████	
Judge Case Total:	67
<hr/>	
Total Cases:	67