



# HOUSE BILL 850: Eastern Band of Cherokees/Law Enforcement

2015-2016 General Assembly

**Committee:**

**Introduced by:**

**Analysis of:** S.L. 2015-287

**Date:**

**Prepared by:** R. Erika Churchill

Staff Attorney

**SUMMARY:** *S.L. 2015-287 authorizes the Eastern Band of Cherokee Indians to establish a police force, tribal alcohol enforcement, a probation and parole agency, and a natural resources enforcement agency.*

*This act became effective October 23, 2015.*

**CURRENT LAW:** In 1987, the General Assembly, in uncodified language, clarified the authority of the police officers of the Eastern Band of Cherokee Indians by granting the Eastern Band of Cherokee Indians the authority given to city police departments under Article 13 of Chapter 160A of the General Statutes. S.L. 1987-427. The chief and officers of the police department must comply with the training and standards for police officers in North Carolina.

**BILL ANALYSIS:** S.L. 2015-287 (House Bill 287) does all of the following:

- Grants full faith and credit to any limited driving privilege signed and issued by a Judge or Justice of the Cherokee Tribal Courts and filed with that court.
- Codifies most of the contents of S.L. 1987-427.
- Specifically recognizes as law enforcement for the Eastern Band of Cherokee Indians all of the following:
  - Cherokee Police Department.
  - Cherokee Marshals Office (probation and parole).
  - Tribal Alcohol Law Enforcement.
  - Natural Resources Enforcement Agency.
- Continues in place the requirement that law enforcement officers of the Eastern Band of Cherokee Indians comply with the training and standards for police officers in North Carolina.
- Grants the Cherokee Marshals Office access to all probation and parole record of the North Carolina Department of Public (DPS) to the same extent as a probation or post-release supervision office of DPS for any individual over which the Cherokee Tribal Courts have jurisdiction to try and impose a sentence upon.
- Authorizes DPS to work with the Eastern Band of Cherokee Indians to establish Originating Agency Identification (ORI) numbers for the law enforcement agencies established by the Band.

**EFFECTIVE DATE:** October 23, 2015.

O. Walker Reagan  
Director



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