



HOUSE BILL 850: Eastern Band of Cherokees/Law Enforcement

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2015-2016 General Assembly

Committee:	House Judiciary I	Date:	April 21, 2015
Introduced by:	Reps. West, Hager, Presnell	Prepared by:	R. Erika Churchill Committee Counsel
Analysis of:	First Edition		

SUMMARY: House Bill 850 would authorize 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.

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 granted 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: The bill would do all of the following:

- Grant 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.
- Law enforcement officers of the Eastern Band of Cherokee Indians would continue to comply with the training and standards for police officers in North Carolina.
- Authorize the Cherokee Marshals Office to have access to all probation and parole record of the North Carolina Department of Public Safety 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 ORI numbers for the law enforcement agencies established by the Band.

EFFECTIVE DATE: Effective when it becomes law.

O. Walker Reagan
Director



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