

**RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION**

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article I of the Constitution of the Three Affiliated Tribes expressly provides that the jurisdiction of the Three Affiliated Tribes shall extend to all persons and all lands within the exterior boundaries of the Fort Berthold Reservation; and
- WHEREAS,** Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically grants to the Tribal Business Council all necessary sovereign authority – legislative and judicial – for the purpose of exercising the jurisdiction granted by the people of the Three Affiliated Tribes in Article I of the Constitution; and
- WHEREAS,** Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt laws regulating the procedures of agencies and officials of the Three Affiliated Tribes; and
- WHEREAS,** Persons willfully failing or refusing to stop for, or trying to elude or flee from, a pursuing peace officer has become a problem on the Fort Berthold Reservation, and is a substantial interference and obstruction for peace officers in the performance of their duties to protect the Reservation and its residents; and
- WHEREAS,** It is the considered judgment of the Tribal Business Council that it should exercise its legislative authority in an effort to minimize and ultimately eliminate such problematic conduct with the intent of protecting the health and welfare of the residents of the Reservation; and

WHEREAS, There is no provision in the Tribal Code of Laws of the Three Affiliated Tribes that makes it an offense for a person to willfully fail or refuse to stop for, or try to elude or flee from a pursuing peace officer; and

WHEREAS, The Tribal Business Council has reviewed and commented on the draft of the proposed language designed to address this problem and approves the attached draft of the statutory provisions titled "Fleeing a Peace Officer";

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally enacts the attached statutory provisions titled "Fleeing a Peace Officer" and designates said provisions as Section 1000.13 of Chapter 2 of Title III of the Fort Berthold Tribal Code.

BE IT FURTHER RESOLVED, That the attached statutory provisions titled "Fleeing a Peace Officer" shall become effective immediately and shall supersede and replace any and all conflicting or inconsistent provisions included in the body of law of the Three Affiliated Tribes.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitutes a quorum, 6 were present at a Regular Meeting thereof, duly called, noticed, convened, and held on the 8th day of June, 2000; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 8th day of June, 2000.

Dorlan Spotted Bear
Secretary, Tribal Business Council

ATTEST:

Way H. Hall
Chairman, Tribal Business Council