

**JULY 2002 CROW TRIBAL LEGISLATURE**

**BILL NO. CLB02-25**

**INTRODUCED BY: Blaine Bulltail, Executive Branch**

**BY REQUEST OF THE EXECUTIVE BRANCH OF THE CROW TRIBE:**

**A BILL FOR AN ACT ENTITLED: "AN ACT REPEALING THE EXISTING TITLE 6 OF THE CROW TRIBAL LAW AND ORDER CODE AND ESTABLISHING TITLE 8A OF THE CROW TRIBAL LAW AND ORDER CODE."**

**WHEREAS**, the existing Title 6 of the Crow Tribal Law and Order Code, which governs criminal procedure in the Crow Tribal Courts, does not comply with new standards and internal citation references of Title 8B of the Crow Tribal Criminal Code; and

**WHEREAS**, Title 8B of the Crow Law and Order Code governs Criminal Offenses and was previously adopted as governing law; however, Title 8A, governing criminal procedures, was not adopted along with Title 8B as governing law; and

**WHEREAS**, Title 8A must now be adopted to comply with Title 8B so as Criminal Procedures and Criminal Offenses will be governed according to new and compliant standards within the Crow Law and Order Code.

**BE IT ENACTED BY THE LEGISLATURE OF THE CROW TRIBE:**

**REPEAL. Section 1. Upon adoption of this Bill, the existing Title 6 of the Crow Tribal Law and Order Code is hereby repealed.** (1) The existing Title 6 of the Crow Tribal Law and Order Code, upon adoption of this Bill by the Crow Tribal Legislative Branch, is hereby adopted in its entirety and shall no longer govern the Crow Tribe.

**ADOPTION. Section 1. Upon adoption of the Bill, the proposed Title 8A of the Crow Tribal Law and Order Code is hereby adopted.** (1) The proposed Title 8A of the Crow Tribal Law and Order Code, upon adoption of this Bill by the Crow Tribal Legislative Branch, is hereby adopted in its entirety and shall govern the Crow Tribal regarding Criminal Procedure in the Crow tribal Courts.

**CODIFICATION. Section 1. Codification instruction.** This Bill, upon adoption by the Crow Tribal Legislature, is intended to be Codified as Title 8A of the Crow Tribal Law and Order Code.

The following amendments were offered by Chief Judge Jim Ruegamer and confirmed by the Crow Tribal Legislature.

**Criminal Code**

Delete the following:

*8A-3-101 (5) An affidavit of probable cause shall accompany the complaint, and be supported by such additional evidence as the Crow Tribal Judge may demand.*

Amended:

(8) The Crow Tribal Judge shall hold a hearing if demanded by Defendant within 72 hours of arraignment; to determine whether probable cause as to the crime exists, and whether the appropriate defendant is named in the complaint.

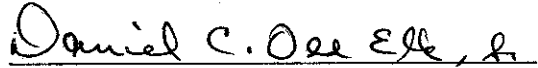
**Chapter 5 Arraignment and release**

**8A-5-101 Arraignment**

(1) Arraignment is the bringing of an accused before the Crow Tribal Court whenever a complaint has been filed by the Crow Tribal prosecutor. Arraignment shall be held in open court without unnecessary delay after the accused is taken into custody and in no instance shall arraignment be later than 72 hours after incarceration.

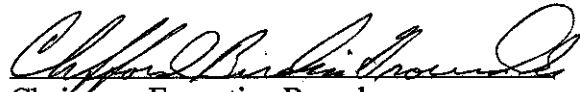
**CERTIFICATION**

I hereby certify that this Crow Legislative Bill was duly approved by the Crow Tribal Legislature with a vote of 10 in favor, -0- opposed, and -0- abstained and that a quorum was present on this 7<sup>th</sup> day of August, 2002.

  
Speaker of the House, Legislative Branch  
Crow Tribal Legislature

**EXECUTIVE ACTION**

I hereby ✓ (approve), \_\_\_\_\_ (veto) this Crow Legislative Bill pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians.

  
Chairman, Executive Branch  
Crow Tribe of Indians

**Roll Call - Vote**  
**Daily Attendance**  
*Repeal Title 6*

Date: 8-7-02

Representative	Present	Late	Absent
Bull Tail	_____	_____	_____
Costa	<u>✓</u>	_____	_____
Crooked Arm	<u>✓</u>	_____	_____
Little Light	_____	_____	_____
Plain Feather	_____	_____	_____
Stewart	<u>✓</u>	_____	_____
Not Afraid	<u>✓</u>	_____	_____
Goes Ahead	_____	_____	_____
Hogan	_____	_____	_____
Old Elk	_____	_____	_____
Passes	<u>✓</u>	_____	_____
Pease	<u>✓</u>	_____	_____
Medicine Horse	<u>✓</u>	_____	_____
Russell	<u>✓</u>	_____	_____
Real Bird	_____	_____	_____
Blackhawk	_____	_____	_____
Stone	<u>✓</u>	_____	_____
Cloud	<u>✓</u>	_____	_____