TRIBAL LAW ENFORCEMENT ORDINANCE

The Official Tribe of Shabazz

REVISED FOR LEGAL-AUTHORITY CLARITY

Section 1. Authority

This Ordinance is enacted pursuant to the internal governing authority of The Official Tribe of Shabazz to provide for the safety, security, welfare, and orderly administration of its members, property, programs, facilities, and activities, subject at all times to applicable law. The Tribal Council hereby establishes the Tribal Marshal Service as the Tribe's internal public-safety and law-enforcement service.

> **Limitation:** Nothing in this Ordinance, standing alone, creates federal, state, county, or municipal peace-officer status; general police powers; arrest authority; jurisdiction over nonmembers; or territorial authority over property not lawfully owned, leased, occupied, or controlled by the Tribe.

Section 2. Purpose

The purpose of this Ordinance is to establish a disciplined Tribal Marshal Service to support internal enforcement of duly adopted Tribal laws and policies, protect persons and property, promote peace and public safety, provide emergency and protective assistance, safeguard Tribal rights and records, and coordinate lawfully with outside agencies when authorized.

Section 3. Establishment of the Tribal Marshal Service

The Tribal Marshal Service shall consist of duly appointed Tribal Marshals authorized by the Tribal Council. The Service shall be administratively housed within the Department of Defense and may use the Tribe's approved Marshal training, certification, standards, policies, and chain of command.

Appointment as a Tribal Marshal, possession of a badge or credential, completion of Tribal training, use of a uniform, or assignment to the Tribal Marshal Service does not by itself create public police authority. A Tribal Marshal may exercise authority beyond the Tribe's internal organizational functions only when that authority is separately established by applicable law, a valid commission or deputization, a license, a court order, a written intergovernmental or interagency agreement, or another lawful source.

Section 4. Jurisdiction and Scope

For purposes of this Ordinance, the authority of the Tribal Marshal Service shall be exercised only within a lawful scope. That scope may include:

1. Internal Tribal matters involving members, officers, programs, records, facilities, or activities, to the extent permitted by applicable law and the Tribe's duly adopted governing instruments.
2. Property lawfully owned, leased, occupied, or controlled by the Tribe or an authorized Tribal entity, to the extent that applicable law and the Tribe's lawful property rights permit.

3. Tribal events, programs, meetings, facilities, and protective assignments for which the Tribe has lawful authority or consent to provide security, safety, or protective services.

4. Cooperative activities with federal, state, county, municipal, Tribal, or other agencies only when conducted under valid law, written agreements, mutual-aid arrangements, commissions, deputizations, or other independently established authority.

5. This Ordinance shall not be construed to declare or create reservation status, trust-land status, Indian-country status, territorial jurisdiction, or governmental police jurisdiction over land or persons where such status or authority has not been independently established.

Section 5. Powers and Duties

Within the lawful scope established by Section 4, Tribal Marshals may:

1. Support enforcement of the Tribe's duly adopted laws, codes, ordinances, rules, and internal orders.

2. Preserve peace, protect life and property, assist with emergency response, conduct safety patrols, and use de-escalation and conflict-resolution practices.

3. Conduct fact-finding and investigations concerning internal Tribal matters and document incidents, evidence, complaints, and referrals in accordance with Tribal policy and applicable law.

4. Detain, arrest, search, seize, or exercise comparable coercive police authority only when such specific authority is independently and lawfully established. Nothing in this Ordinance alone grants such authority.

5. Protect Tribal facilities, records, ceremonial or cultural activities, and sacred or historic sites when the Tribe has lawful authority, ownership, control, permission, or contractual responsibility to provide such protection.

6. Provide assistance, information, or coordination to outside agencies when authorized by the Tribal Council and permitted by applicable law.

7. Perform other lawful safety, security, protective, administrative, and public-service duties assigned by the Tribal Council or Department of Defense.

Section 6. Oath of Office

All Tribal Marshals shall swear an oath to protect life, liberty, dignity, property, and the rights of the people; to uphold duly adopted Tribal law; to know and respect the limits of their authority; to place truth before accusation, facts before judgment, and peace before force; and to faithfully execute their duties in accordance with Tribal law and applicable law.

Section 7. Due Process and Accountability

Tribal Marshals shall exercise their duties with respect for due process, human rights, equal treatment, professional restraint, and the dignity of all persons. Use of authority shall be documented and subject to review.

Any abuse of authority, misconduct, neglect of duty, false representation of legal authority, or violation of Tribal policy shall be subject to investigation and appropriate disciplinary action by the authorized Tribal body, which may include the Department of Defense, Tribal Council, Tribal Court, or another duly established review process. Nothing in this section prevents referral to an outside authority when

required or appropriate under applicable law.

Section 8. Training, Standards, and Credentials

The Tribe may establish training, certification, physical-fitness, ethics, de-escalation, emergency-response, communications, investigative, reporting, and professional-conduct standards for Tribal Marshals. Credentials shall identify the holder's Tribal appointment and role and shall not be represented as federal, state, county, or municipal law-enforcement credentials unless such outside status has been independently established.

Section 9. Legal Foundation and Construction

This Ordinance is an internal governing instrument of The Official Tribe of Shabazz. The Tribe recognizes that decisions such as *United States v. Wheeler* (1978) and *Worcester v. Georgia* (1832), and instruments such as the United Nations Declaration on the Rights of Indigenous Peoples, are frequently cited in discussions of tribal self-government and Indigenous rights.

Nothing in this Ordinance shall be construed to represent that those authorities, by themselves, grant The Official Tribe of Shabazz or its Tribal Marshals federal recognition, state peace-officer status, public arrest powers, territorial jurisdiction, criminal jurisdiction, sovereign immunity, or any other external governmental authority that has not been independently established under applicable law.

Section 10. Effective Date and Superseding Construction

This revised Ordinance shall take effect upon passage or approval by the duly authorized Tribal body and shall be entered into the official Code of Tribal Laws. Upon adoption, this revised text shall govern the construction of the Tribal Marshal Service's authority and shall supersede any inconsistent wording in earlier versions of this Ordinance to the extent of that inconsistency.

> **Public Status Notice:** This ordinance records the internal organization, standards, and intended functions of the Tribal Marshal Service. It should not be presented as evidence of public police powers, territorial jurisdiction, or governmental status beyond authority independently established by applicable law.