



PUBLICATION OF FIRST SET OF NEZ PERCE TRIBE REVISED CODES

The Nez Perce Tribal Executive Committee (NPTEC) approved amendments to the Criminal Code, Criminal Procedures, and Domestic Violence Code last year. In an attempt to ease the transition, PDFs of amended sections will have in brackets the former section number, if applicable.

■ CRIMINAL CODE

- The Criminal Code in Title 4 is the Tribe's substantive criminal laws. Once other chapters are amended, only the Criminal Code will be in **Title 4**.
- Summary of chapters
 - Chapter 4.10 General Provisions, including:
 - Part VII Sentencing
 - Part VIII Sex Offender Registration
 - Chapter 4.15 Inchoate Offenses
 - Chapter 4.20 Offenses Against The Person
 - Chapter 4.23 Sex-Related Crimes
 - Chapter 4.25 Offenses Against the Family
 - Chapter 4.30 Offenses Against Property
 - Chapter 4.35 Offenses Involving Fraud and Deception
 - Chapter 4.40 Offenses Against Public Health, Safety, and Welfare
 - Chapter 4.45 Gangs
 - Chapter 4.50 Drug- and Alcohol-Related Offenses
 - Chapter 4.55 Offenses Related to Public Order
 - Chapter 4.60 Offenses Against the Administration of Government
 - Chapter 4.80 Traffic
 - Chapter 4.90 Civil Infractions

■ CRIMINAL PROCEDURES

- Title 2 encompasses all of the Tribe's various procedures. Criminal Procedures is first in the Revised Codes at **Chapter 2.10**.
- Criminal procedure deals with the set of rules governing the series of proceedings (stages of a criminal case) through which the government enforces substantive criminal law (Title 4, Criminal Code). Procedural rules help ensure that the government applies the law in as consistent a manner as possible and help safeguard rights. These procedures apply in all criminal matters.
- The rules of criminal procedure are extremely important to defendants because they are designed to guarantee due process to those individuals charged with a crime. If criminal procedure is not followed, a defendant also has the right to challenge the admissibility of the evidence that the Tribe would like to use against them. Whether a case will be dismissed for a violation of criminal procedures will depend on the nature of the violation and the other evidence against a defendant.

■ DOMESTIC VIOLENCE

- The Domestic Violence Code is moving to Title 5, which will be renamed "Children, Family, and Elders." The Domestic Violence Code is located at **Chapter 5.70**.
- The Domestic Violence Code requires identification whether a crime is one of intimate partner violence (often referred to as domestic violence) or family violence (no intimate partner relationship).