

# Tribal Law and Concealed Carry

Last Updated 9/16/11

There are about 800 Native American Tribes listed by the Federal Government. The vast majority do not have their code online. These are the ones that I have found that have language concerning carrying or possessing firearms on the Tribal Land. Links have been provided for you to take up the search further. There may be other instances of weapons listed in their code concerning firearms. This is also not the last word on Tribal Laws concerning firearms. This listing just gives you a place to start. Please look further.

Tribal Law only applies to those who live on the Reservation. If you are carrying a firearm with a permit/license that is valid in the state the reservation is located in that permit/license **may not** be valid on the Reservation. They will most likely take the firearm and tell you that you can go to Tribal Court to get it back. Some say as long as you stay on the state roads through a Reservation you are OK but some Tribes ordinances state you can't carry a firearm in a vehicle or on the roads on their Reservation. Tribal Police in most instances work closely with the Local Law Enforcement surrounding the Reservation. If you are breaking a state firearms law they will most likely hold you and contact the local authorities. Handgunlaw.us recommends before carrying on any Reservation that you actually talk to those in charge and preferably get something in writing that your permit/license is valid on their reservation. Otherwise keep it unloaded and secured in your trunk or locked box in the back of a vehicle that does not have a trunk.

I have broken the listing down by state. There are a few Tribes whose Reservations are in more than one state. In those instances I listed the Tribal Law under both states.

If you know of any other Tribes that have their code online or links to Tribal Law/Tribal Governments that need listed here please send the link to [admins@handgunlaw.us](mailto:admins@handgunlaw.us). Please put Tribal Law in the subject line. Steve & Gary

[Indian Tribal Sovereignty](#) a Paper by Scott E. Peterman, September 18, 2000. This gives the history of Tribal Sovereignty and how Tribes relate to State and Federal Laws.

## Link to Government Lists of Tribes

<http://www.ncsl.org/?tabid=13278>

## Links to Tribal Codes Online:

[http://www.narf.org/nill/triballaw/az\\_codes.htm](http://www.narf.org/nill/triballaw/az_codes.htm)

## Links to Tribal Governments

[http://www.usa.gov/Government/Tribal\\_Sites/index.shtml](http://www.usa.gov/Government/Tribal_Sites/index.shtml)

<http://thorpe.ou.edu/>

## Links to Maps of Federal Lands and Native American Reservations

<http://www.nationalatlas.gov/printable/fedlands.html>

<http://www.nps.gov/history/nagpra/documents/resmap.htm>

**Link to Court Ruling that Reservation Law only applies to those who live on the Reservation.**

<http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=435&invol=191>

## Alabama

### Poarch Band of Creek Indians

#### §8-6-17 Carrying Concealed Weapons

(a) A person commits the crime of carrying concealed weapons if said person, other than an authorized law enforcement officer, shall carry concealed about his person any of the following weapons or firearms:

(1) Air gun, blowgun, explosive device, bayonet, dagger, switchblade, bowie knife, slingshot, club, blackjack, chain, sword, spear, knuckles made of any metal or hard substance; knife having a blade of four (4) inches long or longer, throwing stars, chain belts; or

(2) Any gun or dangerous firearm whether the same is loaded or unloaded.

(b) Carrying Concealed Weapons is a Class A Misdemeanor.

## Arizona

### Colorado River Indian Tribes

(The Colorado River Indian Tribes include four distinct Tribes - the Mohave, Chemehuevi, Hopi and Navajo along the Colorado River on both the Arizona and California side.)

Law and Order Code Article 1

#### Section 345. Carrying a Concealed Weapon.

A person commits the offense of carrying a concealed weapon if, without legal justification, or lawful authority as hereinafter provided, he knowingly carries concealed on or about his person a knife, firearm, or other dangerous weapon as hereinafter defined.

a. It shall be an affirmative defense that the accused was:

- (1) Lawfully authorized to carry such knife, firearm or other dangerous weapon concealed on or about his person, which lawful authority shall be by permit issued by the Tribal Council or such other authority designated by it, or by written permit or other authority of the United States;
- (2) A Police or other law enforcement officer of the Tribes or the United State acting in the performance of his official duties; or
- (3) Was in this own dwelling, or place of business, or on property owned or under his control at the time of the act of carrying; or
- (4) Was in a private automobile or other means of conveyance and was carrying the weapon therein for lawful protection of his or another permit or property while traveling.

b. The following definitions apply to this Section:

(1) "Knife" means any dagger, dirk, knife, sword, spear, or stiletto with a blade over three and one-half (3 1/2) inches in length, or any other instrument capable of inflicting cutting, stabbing, or tearing wounds, but it does not include a hunting or fishing knife carried for sports or other lawful use.

(2) "Firearm" means any gun, revolver, pistol, rifle, shotgun, or other weapon which discharges a projectile by explosive force.

(3) "Dangerous Weapon" in addition to a firearm or knife, includes any dart, blow-gun, air or pellet gun, non-safety razor, blackjack, billy club, sand club, sand bag, any hand-operated striking weapon consisting at the striking end of an encased heavy substance or at the handle end a strap or springy shaft which increases the force of impact, any device designed for propelling by release of gas or spring pressure, any device designed to discharge chemicals as an offensive or defensive weapon, a bomb or any other explosive or incendiary device or Molotov cocktail, brass knuckles or other device intended to be worn on the hand or other part of the body for infliction of injury to another person.

A person guilty of carrying a concealed weapon may be sentenced to imprisonment for a period not exceed one (1) year or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.

[As Amended January 11, 1992, Ord. No. 92-1, 1.]

## **Fort McDowell Yavapai Nation**

### **Sec. 6-133. Carrying Concealed Weapon.**

- a. Any person who shall go about in a public place armed with a dangerous weapon concealed upon his person, which weapon can be used to inflict harm upon another person, shall be deemed guilty of an offense and, upon conviction thereof, shall be sentenced to imprisonment for a period not to exceed ninety (90) days or to a fine not to exceed three hundred sixty dollars (\$360.00) or to both such imprisonment and fine with costs.
- b. A weapon is not a concealed weapon as used in this section if:
  1. it is carried in a belt holster, is wholly or partially visible, or is carried in a scabbard or case designed for carrying weapons which scabbard or case is wholly or partially visible.
  2. it is located in a closed trunk, luggage or glove compartment of a motor vehicle.
  3. a person has a permit signed by the department of law and order of the Yavapai Community Court and has the permit on his person.

## **Gila River Indian Community**

### **5.901. Misconduct Involving Weapons.**

- A. A person commits misconduct involving weapons by intentionally or knowingly:
  1. Carrying a concealed deadly weapon on his person;
  2. Carrying a concealed deadly weapon within immediate control of any person in or on a means of transportation;
  3. Manufacturing, possessing, transporting, selling or transferring a prohibited weapon;
  4. Possessing a firearm or prohibited weapon if such person is a prohibited possessor;
  5. Selling, transferring or providing a firearm or deadly weapon to a prohibited possessor or minor under the age of 18, unless supervised in-person by the minor's parent or guardian;
  6. Defacing a firearm;
  7. Using or possessing a deadly weapon during the Commission of an offense; or
  8. Discharging a firearm at a structure;
  9. Entering any public establishment or attending any public event and carrying a firearm on his person, after a reasonable request by the operator of the establishment or the sponsor or sponsor's agent of the event to remove the firearm, unless otherwise specifically authorized by law;

10. Entering an election polling place on the day of any election carrying a firearm, unless otherwise specifically authorized by law; or
11. Possessing a deadly weapon on school grounds or within 100 feet of a school.

B. Subsection 5.901.A.1. shall not apply to a person in his dwelling, business premises or on real property owned or leased by that person.

C. Subsections 5.901.A.1.--11. shall not apply to:

1. A police officer or any person at the request of a police officer assisting any police officer in the performance of official duties;
2. A member of the military forces of the United States in the performance of official duties; or
3. A person specifically licensed pursuant to a statute of the United States or the Community.

D. The penalty for misconduct involving weapons shall be imprisonment for a period not to exceed 365 days, or a fine not to exceed \$5,000.00, or both.

## Havasupai

[Tribal Terms and Conditions](#) (From their website on visiting them in the Grand Canyon)

The Havasupai Tribe does not permit its people to use alcoholic beverages on the reservation and drugs are as illegal in Havasu Canyon as they are anywhere else. Tribal law does not permit the bearing of firearms by anyone on the reservation, nor are machetes, either necessary, or useful in the campgrounds.

Due to the large number of animals living in Havasu Canyon, the Tribe requests visitors not to bring pets with them. **Please leave your liquor, drugs, weapons and pets at home and enjoy the canyon.**

## Hopi Tribe

### [3.3.12 Carrying Concealed Weapon.](#)

Any Indian who shall go about in public or private places armed with a dangerous weapon, concealed upon his person, unless he shall have a permit to carry the same in his possession, signed by the Judge of the Hopi Trial Court and countersigned by the Superintendent of the Reservation, shall be deemed guilty of an offense. "Deadly weapons" within the meaning of the foregoing shall be construed to mean any and all kinds and classes of guns, pistols, revolvers, knives with blades over four inches (4") in length, and any and all classes and kinds of weapons and instruments, by whatever name called, designed to inflict a dangerous wound.

## Pascua Yaqui Tribe

### [Section 500 Carrying a Concealed or Deadly Weapon \(4 PYTC § 1-500\)](#)

(A) Any person who shall go about in public places armed with a dangerous or deadly weapon knowingly concealed shall be deemed guilty of an offense.

(B) "Deadly weapons" within the meaning of the foregoing shall be construed to mean any and all kinds and classes of offensive weapons, such as guns, pistols, revolvers, knives with blades over four inches in length, and any and all classes and kinds of weapons and instruments by whatever name called, designed to or intended and used for the purpose of inflicting a dangerous wound.

(C) Commissioned peace officers shall be exempt from this provision.

*Legislative History: Amended 1-6-94 by Tribal Council Resolution C1-02-94.*

## Tohono O'odham Nation

### [Section 14.1 Misuse of a Weapon and/or a Dangerous Instrument](#)

A. A person commits the offense of misuse of a weapon and/or a dangerous instrument if he or she intentionally or knowingly:

1. carries a prohibited weapon or dangerous instrument concealed on or about his or her person; or
2. carries a prohibited weapon concealed in or on a means of transportation, or within immediate reach of any person; or

3. carries or possesses a prohibited weapon or dangerous instrument with the intent to use such weapon or dangerous instrument in the commission of a crime; or
4. carries or possesses a prohibited weapon or dangerous instrument and is a prohibited person as defined in this section; or
5. manufactures, transports, sells or transfers a prohibited weapon; or
6. discharges a firearm within one-fourth (1/4) mile of an occupied residence.
7. defaces or alters the serial number of a firearm or possesses a firearm whose serial number has been defaced or altered with the knowledge that the firearm serial number was defaced or altered.
8. enters any public gathering or attends any public event and carries a prohibited weapon or dangerous instrument on his or her person.

**D.** For purposes of this section a weapon is not concealed if:

1. it is carried in a belt holster, wholly or partially visible, or is carried in a case designed for carrying weapons; or
2. the weapon is located in a closed trunk, luggage or locked glove compartment of a motor vehicle;
3. the person carrying the weapon is authorized to carry the weapon.

**E.** A person found guilty of misuse of a weapon and/or a dangerous instrument shall be sentenced to the following:

1. Imprisonment in jail for a period not to exceed three hundred sixty (360) days; or
2. A fine not to exceed one thousand dollars (\$1000); or
3. Both of the above.

## **White Mountain Apache**

### **SECTION 2.18 CARRYING A CONCEALED WEAPON**

**A.** A person is guilty of an offense who has concealed on or about his person, or within his immediate control, a Dangerous Weapon.

**B.** Subsection A shall not apply to any person authorized by any tribal government, or state government, or by the government of the United States or any subdivision of any of the aforementioned governments to carry such weapon.

**C.** A person found guilty under this Section may be sentenced to imprisonment for a period not to exceed One Hundred Eighty (180) days or to any a fine not to exceed Five Hundred Dollars (\$500.00), or both.

**D.** Any weapons concealed in violation of this Section shall be subject to seizure and forfeiture as provided in the White Mountain Apache Rules of Criminal Procedure.

## **California**

### **Blue Lake Rancheria Tribe**

#### **SECTION 1: Purpose:**

It is the purpose of this ordinance to provide proper control and use of firearms within the exterior boundaries of the Blue Lake Rancheria.

#### **SECTION 2: FIREARMS:**

Firearms shall be used in a manner that is deemed by the Blue Lake Rancheria Business Council to be safe and not cause harm to other residents of the Rancheria. Any person that discharges a firearm indiscriminately shall be responsible for property damage and personal injury.

#### **SECTION 3: BB GUNS, PELLET GUNS, AIR GUNS:**

These types of guns shall be used in a manner that is deemed by the Blue Lake Rancheria Business Council to be safe and not cause harm to other residents of the Rancheria. The discharge of these guns by minor children shall be supervised by an adult.

Any BB Gun, Pellet Gun or Air Gun that is discharged in a manner that is unsafe shall be deemed to be in violation of this section. Any person that discharges a firearm indiscriminately shall be responsible for property damage and personal injury.

## **Colorado River Indian Tribes**

(The Colorado River Indian Tribes include four distinct Tribes - the Mohave, Chemehuevi, Hopi and Navajo along the Colorado River on both the Arizona and California side.)

Law and Order Code Article 1

### **Section 345. Carrying a Concealed Weapon.**

A person commits the offense of carrying a concealed weapon if, without legal justification, or lawful authority as hereinafter provided, he knowingly carries concealed on or about his person a knife, firearm, or other dangerous weapon as hereinafter defined.

- c. It shall be an affirmative defense that the accused was:
- (5) Lawfully authorized to carry such knife, firearm or other dangerous weapon concealed on or about his person, which lawful authority shall be by permit issued by the Tribal Council or such other authority designated by it, or by written permit or other authority of the United States;
  - (6) A Police or other law enforcement officer of the Tribes or the United State acting in the performance of his official duties; or
  - (7) Was in this own dwelling, or place of business, or on property owned or under his control at the time of the act of carrying; or
  - (8) Was in a private automobile or other means of conveyance and was carrying the weapon therein for lawful protection of his or another permit or property while traveling.
- d. The following definitions apply to this Section:
- (1) "Knife" means any dagger, dirk, knife, sword, spear, or stiletto with a blade over three and one-half (31/2) inches in length, or any other instrument capable of inflicting cutting, stabbing, or tearing wounds, but it does not include a hunting or fishing knife carried for sports or other lawful use.
  - (2) "Firearm" means any gun, revolver, pistol, rifle, shotgun, or other weapon which discharges a projectile by explosive force.
  - (3) "Dangerous Weapon" in addition to a firearm or knife, includes any dart, blow-gun, air or pellet gun, non-safety razor, blackjack, billy club, sand club, sand bag, any hand-operated striking weapon consisting at the striking end of an encased heavy substance or at the handle end a strap or springy shaft which increases the force of impact, any device designed for propelling by release of gas or spring pressure, any device designed to discharge chemicals as an offensive or defensive weapon, a bomb or any other explosive or incendiary device or Molotov cocktail, brass knuckles or other device intended to be worn on the hand or other part of the body for infliction of injury to another person.

A person guilty of carrying a concealed weapon may be sentenced to imprisonment for a period not exceed one (1) year or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.

[As Amended January 11, 1992, Ord. No. 92-1, 1.]

## **Hoop Valley Tribe**

### **Hoop Valley Tribe Firearms Ordinance**

## Los Coyotes Reservation

The Los Coyotes Tribe run a campground and may have other property that surrounds their campground. They do not have any laws/Ordinances post on the web. They do have rules for their campground:

### RULES

All campers must check in at station  
Camp only in main campground  
No hunting  
No guns

## Connecticut

### Mohegan Tribe

#### Article 5 Sec. 6-121. - Permit Required.

No person shall carry any pistol, revolver, rifle, shotgun or any other firearm within the boundaries of the Mohegan Indian Reservation for any purpose unless said person has been issued a permit to carry such firearm by the Department of Public Safety. No permit shall be issued unless the individual applying for the permit has:

- (1) A valid, current Connecticut or federal permit to carry such firearm as documented to the Department of Public Safety;
- (2) The individual has a recognized, legitimate business need for such permit approved by the Department of Public Safety; and
- (3) Such permit shall be valid only during such times as the individual is on duty and engaged in said business.

(Ord. No. 97-02, § 1, 2-28-1997; Res. No. 2008-18, 2-20-2008)

## Idaho

### Nez Perce Tribe

#### § 4-1-126 Weapons Offense

(a) It shall be unlawful for any person:

- (1) being convicted of a felony or an equivalent crime under this code or having been declared mentally incompetent, to own or have in his possession or under his custody or control a dangerous weapon;
- (2) being intoxicated or otherwise under the influence of alcohol beverages or other intoxicating substance, drug, or medicine, to have a dangerous weapon in his possession;
- (3) to have on his person a concealed dangerous weapon without proper authority;
- (4) to point or aim any dangerous weapon at or toward any other person within range of the weapon except in self defense;
- (5) to discharge, without injury to any person, any dangerous weapon, while intentionally, without malice, aimed at or toward another person; **(adopted by NPTEC 4/13/10)**

(6) to maim or injure any person by discharge of any dangerous weapon, which is aimed, intentionally, but without malice, at any such person; **(adopted by NPTEC 4/13/10)**

(7) to discharge any kind of dangerous weapon from a motor vehicle, from, upon or across any public highway without lawful authority;

(8) to discharge a dangerous weapon at an inhabited dwelling house, occupied building, occupied motor vehicle, inhabited motor home, inhabited travel trailer, or inhabited camper. For purposes of this section "inhabited" means currently being used for dwelling purposes, whether occupied or not. **(adopted by NPTEC 4/13/10)**

(9) to have in his possession any dangerous weapon with intent to assault another;

(10) to provide to any minor under the age of sixteen (16) a dangerous weapon without consent of parent or guardian; or

(11) subject to a domestic protection order, to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any dangerous weapon or ammunition; or to receive any dangerous weapon or ammunition which has been shipped or transported in interstate or foreign commerce. **(added 6/22/99)**

(b) As used in this section, proper authority to carry a concealed weapon shall include the authority granted to any law enforcement officer or a permit issued by the state of Idaho.

(c) Mandatory reporting. Any medical provider, including a physician, physician's assistant, nurse or emergency medical technician, shall notify tribal police when she has reason to believe that any person treated or requesting treatment has received any injury inflicted by means of a dangerous weapon. No civil liability shall attach to such reporting. **(adopted by NPTEC 4/13/10)**

## Iowa

### Meskwaki Tribe

#### Chapter 12. Weapons and Explosives

##### [Sec. 13-51201](#) Carrying or Displaying a Weapon.

**Note:** (The Law Link Loads very slow)

- (a) A person commits carrying or Displaying a weapon when the person:
- (1) Carries a weapon into any school, child day care facility, adult care facility, senior center, medical clinic or facility, meeting of the Tribe, meeting of the Tribal Council, meeting of a tribal committee, building in which voting is taking place, or pow-wow;
  - (2) Carries a weapon concealed on his person unless he or she shall have a current valid permit to carry such a weapon concealed signed by the Chief of the Tribal Police under regulations promulgated by the Chief; or
  - (3) Carries a weapon under circumstances that either manifests an intent to intimidate other or warrants alarm for the safety of other persons.
- (b) The provisions of this section shall not apply to any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty.
- (c) Carrying or Displaying a Weapon is a class 1 offense.



## Kansas

### Prairie Band of Potawatomi Nation

#### Section 15-5-7. Weapons Offense.

(A) It shall be unlawful to:

(1) Have a dangerous weapon in one's actual possession (a) while being addicted to any narcotic drug, (b) after having been declared mentally incompetent, (c) while being intoxicated or otherwise under the influence of alcoholic beverages or other intoxicating substance, drug, or medicine, (d) while possessing the intent to unlawfully assault another, (e) or while under the age of sixteen years old and without the consent of the minor's parent or guardian.

(2) Carry a loaded firearm in a vehicle on a public road without lawful authority to do so; or to discharge any kind of firearm from a motor vehicle without lawful authority to do so; or to discharge a firearm from, upon or across any public highway without lawful authority to do so.

#### **Section 15-5-8. Aggravated Weapons Offense.**

(A) It shall be unlawful to carry a dangerous weapon concealed on the person or to threaten to use or exhibit a dangerous weapon in a dangerous and threatening manner, or use a dangerous weapon in a fight or quarrel; or to possess a shotgun or rifle having a barrel or barrels of less than sixteen inches in a length or an altered or modified shotgun or rifle less than twenty-four inches overall length.

(B) Aggravated weapons offenses shall be punishable by a fine not to exceed \$500 or by a term of imprisonment in the tribal jail not to exceed six months, or both.

## Louisiana

### Chitimacha Tribe

#### Chapter 4. Crimes Against The Public Order.

Subchapter A. Explosives and Weapons Offenses

##### **Sec. 401. Carrying concealed dangerous weapon.**

A person who carries, concealed about his or her person without specific governmental approval, any of the following weapons, is guilty of carrying a concealed dangerous weapon:

(a) blackjack, billy, bludgeon, metal knuckles, or knife with a blade over six (6) inches long or other sharp or dangerous instrument usually employed in the attack or defense of a person; or

(b) a gun or dangerous firearm, whether loaded or unloaded.

Carrying a concealed weapon is a Class A Misdemeanor. In addition to the penalty prescribed for such an offense, a person convicted of carrying a concealed weapon may be ordered by the Court to forfeit such weapon to the Tribe.

## Coushatta Tribe

### Chapter 5 Crimes Against The Public Order

#### Explosives and Weapons Offenses:

##### 3.5.1 Carrying Concealed Dangerous Weapons:

A person who carries, concealed about his or her person without specific governmental approval, any of the following weapons, is guilty of carrying a concealed dangerous weapon:

- (a) Blackjack, billy club, bludgeon, metal knuckles or knife with a blade over six (6") inches long or other sharp or dangerous instrument usually employed in the attack or defense of a person; or
- (b) A gun or dangerous firearm, whether loaded or unloaded.

Any person convicted of Carrying Concealed Dangerous Weapons shall be sentenced to imprisonment for a period not to exceed one hundred eighty (180) days or a fine not to exceed \$1,000.00 plus court costs, or both, and restitution to the victim. In addition to the penalty prescribed for such an offense, a person convicted of carrying a concealed weapon may be ordered by the Court to forfeit such weapon to the Tribe.

## Minnesota

### Fond du Lac Band of Lake Superior Chippewa

#### Section 301 Prohibition of Firearms

Except as provided under Section 302, no person shall possess any firearm within the premises of any governmental, administrative or business operation of the Fond du Lac Band.

#### **Section 302 Exceptions to Prohibition**

The prohibitions established under Section 301 shall not apply to:

- a. On-duty law enforcement officers who are employed by a law enforcement agency possessing jurisdiction within the Fond du Lac Reservation and who are required to possess such firearm as part of their official responsibility with such agency; or
- b. Individuals who are engaged in the transportation of money under contract with the Fond du Lac Band; or
- c. Storage of an unloaded, fully cased firearm in a vehicle on premises.

### Prairie Island Indian Community

#### Section 1.5. Transport and Carrying of Firearm.

**A.** Transport in a Motor Vehicle. No person shall transport in a motor vehicle any firearm at any time within the Community outside the person's own residence unless the firearm is unloaded (without ammunition in the barrel or magazine, if a magazine is in the firearm). In the case of a pistol, it must also be fully contained in a locked gunbox. In the case of a firearm other than a pistol, it must also be enclosed in a gun case expressly made to contain a firearm, and the case must fully enclose the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and no portion of the firearm may be exposed.

**B.** Carrying in an Open Manner. No person shall carry on his/her person in an open manner any firearm at any time within the Community outside the person's own residence unless the firearm is unloaded (without ammunition in the barrel or magazine, if a magazine is in the firearm). In the case of a pistol, it must also be fully contained in a locked gunbox. In the case of a firearm other than a pistol, it must also be enclosed in a gun case expressly made to contain a firearm, and the case must fully enclose the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and no portion of the firearm may be exposed.

C. Carrying in a Concealed Manner. No person shall carry on his/her person in a concealed manner, any firearm at any time within the Community outside a person's own residence.

D. Carrying in a Prairie Island Indian Community-Owned Building or Facility. No person shall carry on his/her person in either an open or concealed manner any firearm into a Prairie Island Indian Community-owned building or facility, or into a Prairie Island Indian Community-owned parking lot or facility.

E. Subsections A. and B. shall not apply if:

1. The person is actually hunting pursuant to a valid Prairie Island Indian Community hunting permit within areas designated for hunting by duly enacted resolution of the Prairie Island Indian Community Tribal Council, or
2. The person is shooting nuisance animals with a firearm other than a rifle on property assigned to the person, and if the person has a permit from the Prairie Island Indian Community Tribal Council to shoot nuisance animals.

F. No Prairie Island Indian Community law enforcement officer shall grant to any person a permit to carry or transport a firearm pursuant to any federal, state or tribal law.

## **Red Lake Band of Chippewa Indians**

### **504.12 Handling a Dangerous Weapon**

Any Indian who does any of the following is guilty of a misdemeanor:

- (a) recklessly handles or uses a gun or other dangerous weapon so as to endanger the safety of another; or
- (b) intentionally points a gun of any kind, capable of injuring or killing a human being (whether loaded or unloaded) at or toward another human being.

(Section 504.12 added to Tribal Code by Resolution 292-93, dated September 14, 1993)

## **Michigan**

### **Bay Mills Indian Community**

#### **610. CARRYING CONCEALED WEAPON.**

Any person who shall go about in public places armed with a firearm, whether loaded or unloaded or any other dangerous weapon, concealed upon his/her person or vehicle, unless he/she shall have a permit signed by the Chief of Tribal Police, may be sentenced to imprisonment of not more than 90 days, payment of a fine not to exceed \$500, or both and the weapon is subject to confiscation, return of which is permitted upon the offender obtaining the requisite permit.

### **Grand Traverse Band of Ottawa and Chippewa Indians**

#### **9 GTBC § 107**

(d) Weapons and Explosives

(I) Carrying of a Deadly Weapon without a License

(A) Offense. A person who carries a deadly weapon without being licensed to do so by the Grand Traverse Band or by the State of Michigan commits an offense.

## Little River Band of Ottawa

### Law And Order - Criminal Offenses - Ordinance

#### Article XIV. Weapons and Related Offenses

##### 14.01. *Carrying a Concealed Weapon.*

- a. *Offense.* A person commits the offense of carrying a concealed weapon, if he knowingly carries concealed on or about his person a dangerous weapon unless he is lawfully authorized to carry by the Tribe such weapon.
- b. *Sentence.* A person convicted of carrying a concealed weapon may be sentenced to imprisonment for a period not to exceed one year, or a fine not to exceed five thousand dollars (\$5,000.00), or both.
- c. *Comment.* It shall be an affirmative defense that the accused was in his own dwelling, or place of business, owned or operated by him, or on property owned or under his control at the time of the act of carrying.

## Little Traverse Bay Bands of Odawa Indians

### 9-107

#### D. Weapons and Explosives.

##### 1. Carrying a deadly weapon without a license.

- a. *Offense.* A person who carries a deadly weapon without being licensed to do so by LTBB or by the State of Michigan commits an offense.

## Sault Ste. Marie Tribe of Chippewa Indians

### Subchapter XIII: Weapons And Related Offenses

#### 71.1301 Carrying a Concealed Weapon.

- (1) *Offense.* A person commits the offense of carrying a concealed weapon, if he knowingly carries concealed on or about his person a dangerous weapon unless he is lawfully authorized to carry such weapon.
- (2) *Sentence.* A person convicted of carrying a concealed weapon may be sentenced to imprisonment for a period not to exceed one (1) year, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.
- (3) *Comment.* It shall be an affirmative defense that the accused was in his own dwelling, or place of business, owned or operated by him, or on property owned or under his control at the time of the act of carrying.

## Pokagon Band of Potawatomi Indians

### CRIMINAL OFFENSES SECTION 12. WEAPONS OFFENSES

#### A. Carrying Concealed Weapon.

1. A person commits the Offense of Carrying a Concealed Weapon by Knowingly carrying or bearing a Concealed Weapon.
2. Subsection 1 shall not apply to:
  - a. any Law Enforcement Officer;
  - b. a person holding a valid license to carry one or more types of Concealed Weapon that was issued by his or her state of residence, except where the person is not carrying the Concealed Weapon within his or her state of residence, the license does not authorize such person to carry the Concealed Weapon in his or her Possession, or the Concealed Weapon is being carried in nonconformance with a restriction appearing on the license;
  - c. the carrying of Firearms in his or her residence, place of business, or on other land possessed by the person;

- d. a bona fide collector registered under Section 923 of the federal Firearms Code, 18 U.S.C. § 44;
- e. a person while transporting the Firearm for a Lawful Purpose that is licensed by the Owner or occupant of the motor Vehicle in compliance with the law of his or her residence and the Firearm is unloaded in a closed case designed for the storage of Firearms in the trunk of the Vehicle;
- f. a person while transporting the Firearm for a Lawful Purpose that is licensed by the Owner or occupant of the motor Vehicle and the Firearm is unloaded in a closed case designed for storage of Firearms in a Vehicle that does not have a trunk and is not readily accessible to the occupants of the Vehicle

1. Carrying a Concealed Weapon is a Class D Offense.

## Mississippi

### Mississippi Band of Choctaw Indians

#### §3-6-17 Carrying a Concealed Deadly Weapon

Any person who shall go about in public places with a deadly weapon concealed in whole or in part upon his person or in his possession shall be deemed guilty of this offense. For purposes of this title, a "deadly weapon" is defined as any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any type of daggers, brass knuckles, switchblade knives, Bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted.

Any person found in violation of subsection 1 of this section shall have said weapon seized by the arresting officer and such weapon upon conviction of the person charged shall be disposed of as ordered by the court.

Carrying a concealed weapon is a Class B offense.

## Montana

### Assiniboine & Sioux

#### Sec. 401. Carrying concealed dangerous weapon.

Whoever carries, concealed about his/her person, any of the following weapons, unless they are carried with specific governmental approval, is guilty of carrying a concealed dangerous weapon:

- (a) any blackjack, billy, bludgeon, metal knuckles, or any knife with a blade over four (4) inches long or other sharp or dangerous instrument usually employed in the attack or defense of a person; or
- (b) any gun or dangerous firearm, whether loaded or unloaded. Carrying a concealed weapon is a Class A misdemeanor. In addition to the penalty prescribed for such an offense, any person convicted of carrying a concealed weapon may be ordered by the Fort Peck Tribal Court to forfeit any such weapon to the Tribes.

(AMENDED AS PER RESOLUTION NO. 2275-2005-10, DATED 10/24/05)

### Blackfeet Tribe of the Blackfeet Indian Reservation

#### Section 3. Carrying a Concealed Weapon.

2. Any person who shall go about in public places armed with a dangerous weapon concealed upon his or her person, unless he shall have a permit approved by the Law and Order Commission, shall be deemed guilty of the offense of carrying a concealed weapon.
3. Any person convicted of carrying a concealed weapon shall be sentenced to a fine not to exceed One Thousand Dollars (\$1,000.00), or imprisoned for a term not to exceed six (6) months, or both.

History: Enacted in 1967, amended 3/25/96. Tribal Resolution (#139-96)

## **Chippewa-Cree Indians of the Rocky Boy's Reservation**

### **8.3 Carrying a Concealed Weapon.**

A person who knowingly carries a dangerous weapon concealed upon his person without (1) a permit signed by a Tribal Court; or (2) a license issued by the Tribal Council commits the offense of Carrying a Concealed Weapon, a Class B offense.

## **Crow**

### **8B-8-303. Carrying concealed weapons.**

(1) Every person who carries or bears concealed upon his/her person a dirk, dagger, pistol, revolver, slingshot, sword cane, billy, knuckles made of metal or hard substance, knife having a blade of four (4) inches long or longer, razor, not including a safety razor, or other deadly weapon shall be punished for carrying a concealed weapon.

(2) Section 8B-8-303 does not apply to:

- (a) any peace officer of the Crow Tribe;
- (b) any person in actual service as a national guardsman;
- (c) a person authorized by a Crow Tribal Judge to carry a weapon; or
- (d) the carrying of arms on one's own premises or at one's home or place of business.

(3) Carrying concealed weapons as defined in subsection (1) is a Class C offense for which the offender shall be imprisoned in the Crow Tribal Jail for any term not to exceed 6 months or be fined an amount not to exceed \$500.00 payable to the Crow Tribal Court, or both.

## **Fort Belknap Tribe**

### **2.1 Carrying a Concealed Weapon**

**A.** A person commits the offense of Carrying a Concealed Weapon if s/he goes about in public places bearing, either wholly or partially covered by his/her clothing or wearing apparel, a dirk, dagger, pistol, revolver, slingshot, sword cane, billy club, knuckles made of any metal or hard substance, knife having a blade 4 inches long or longer, razor, not including a safety razor, or other deadly weapon unless s/he shall have a permit approved by appropriate authorities.

**B.** A person convicted of Carrying a Concealed Weapon shall be of a Class 2 offense and shall be fined an amount not to exceed \$500.00 or be imprisoned for a term not to exceed six months, or both.

**History:** Subsection 2.1 (A-B) enacted on the 3/8/99, Resolution 63-99.

## **Confederated Tribes of Confederated Salish and Kootenai Tribes**

### **Part 12**

#### **Weapons Offenses**

##### **2-1-1201. Carrying concealed weapon.**

- (1) A person commits the offense of carrying a concealed weapon by knowingly carrying or bearing a dirk, dagger, pistol, revolver, slingshot, sword cane, billy club, knuckles made of any metal or other hard substance, knife having a blade at least 4 inches long, non-safety type razor, or any other deadly weapon which is wholly or partially covered by the clothing or wearing apparel of the person carrying the weapon.
- (2) Subsection (1) does not apply to:
  - (a) any law enforcement officer of the Tribes;
  - (b) a person authorized by a judge of the Tribal Court to carry a concealed weapon;
  - (c) a person permitted under state law to carry a concealed weapon; or
  - (d) the carrying of arms on one's own premises or at one's home or place of business.
- (3) Carrying a concealed weapon is a Class C offense over which the Tribes have exclusive jurisdiction.

## Northern Cheyenne

### 7-7-3. Carrying, a Concealed Weapon.

- A. A person is guilty of carrying a concealed weapon if, he shall go about in a public place armed with a dangerous weapon concealed upon his person, unless he has a signed permit by a Judge of the Northern Cheyenne Tribal Court. The weapon so carried may be confiscated by the court.
- B. Carrying a concealed weapon is a Class B offense.

## Nebraska

### Ponca Tribe

#### Section 1-9-2. Provisions.

1. The Ponca Tribe of Nebraska strictly prohibits any firearms, licensed or unlicensed, or other deadly weapons on or in any public Ponca Tribe of Nebraska building, facilities, or vehicles.
2. The Ponca Tribe of Nebraska reserves the right to inspect any person as well as any articles and property in any person's possession to detect firearms or other weapons.
3. Any gun, deadly weapon, or dangerous instrument on or in the Ponca Tribe of Nebraska owned or leased premises, facilities, or vehicles may be confiscated.
4. Nothing in this Chapter shall be construed to prohibit the Ponca Tribe game-keeper or other individual specifically identified by the Tribal Council from maintaining firearms or other deadly weapons on tribal property for the purpose of maintaining the Tribe's buffalo herd or other game keeping duties.
5. Violation of this policy shall result in loss of services, being banned from the Ponca Tribe of Nebraska premises, facilities, and vehicles for a time period set by the Ponca Tribe of Nebraska Tribal Council; and shall further result in the possible referral to appropriate law enforcement agencies for possible criminal charges.

## Winnebago Tribe

### 3-737 Weapons offense.

#### 1. It shall be unlawful to:

- A. Have a dangerous weapon in ones actual possession while being addicted to any narcotic drug; or after having been declared mentally incompetent; or while being intoxicated or otherwise under the influence of alcoholic beverages or other intoxicating substance, drug, or medicine; or while possessing the intent to unlawfully assault another; or while under the age of sixteen years and without the consent of ones parent or guardian.
  - B. Carry a loaded firearm in a vehicle on a public road without lawful authority to do so; or to discharge any kind of firearm from a motor vehicle without lawful authority to do so, or to discharge a firearm from upon or across any public highway without lawful authority to do so.
2. This provision does not apply to the issuance of firearms to peace officers or temporary loan of pistols, revolvers, or any rifles for instruction under the immediate supervision of a parent or guardian or adult instructor.

3 Weapons offense is a Class III offense. [TCR 86-79, 89-87]

### **3-738 Aggravated weapons offense.**

1. Except as provided in subsection (2) of this section, any person who carries a weapon or weapons concealed on or about his/her person such as a revolver, pistol, bowie knife, dirk or knife with a dirk blade attachment, brass or iron knuckles, or any other deadly weapon, or threatens to use or exhibit the deadly weapon in a dangerous and threatening manner, or use a deadly weapon in a fight or quarrel commits the offense of carrying concealed weapons.
2. It shall be an affirmative defense that the defendant was engaged in any lawful business, calling or employment at the time he/she was carrying any weapon or weapons, and the circumstances in which such person was placed at the time were such as to justify a prudent person in carrying the weapon or weapons, for the defense of his/her person, property or family.

3. Aggravated weapon offense is a Class I offense. [TCR 86-79]

## **Nevada**

### **Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon**

#### **Section 67. Carrying concealed weapon.**

It is unlawful for any person to go about in public or private places, tribal buildings, schools, and health or wellness centers armed with a dangerous weapon, concealed upon his person, unless he shall have a permit from the Tribal Council to carry the same in his possession, is guilty of a Class C offense.

### **Yomba Shoshone Tribe of the Yomba Reservation**

#### **Sec. 6 Weapons Offenses**

**n.** Manufacture, importation of dangerous weapons; carrying concealed weapon without a permit; permits issued by Tribal Police; penalties:

**(1)** Except as provided for elsewhere in this Section, it is unlawful to:

**(a)** Manufacture or cause to be manufactured, import, keep, offer or expose for sale, give, lend or possess weapons commonly known as a switchblade knife, metal knuckles (i.e.. brass knuckles), blackjack, or any item which can be construed as a dangerous weapon for which the possessor has no legitimate reason for having.

**(b)** Carry concealed upon his person any explosive substance, other than fixed ammunition, or ammunition reloading components; any dirk, dagger, hunting knife when placed other than on a belt about the waist, firearm or dangerous or deadly weapon.

**(2)** The provisions of Paragraph (1) do not apply to law enforcement officers, active or honorably retired, any person summoned by any peace officer to assist in making arrests or preserving the peace while the person so summoned is actually engaged in assisting the peace officer, or members of the Armed Forces of the United State when on duty, or going to or returning from duty.

**(3)** The highest ranking Tribal Police Officer may, with the Tribal Council's permission, upon written application by a resident within the Tribe's jurisdiction grant written permission to the applicant authorizing the carrying of the concealed weapon described in the permit. No permit may be granted to carry a switchblade knife or spring loaded knife.

**(a)** A switchblade is defined as any knife, two (2) or more inches long and which can be released automatically by a flick of a button, pressure on the handle, or using any other form of mechanical release to open the blade from the handle.



(b) A spring loaded knife is defined as any knife, two (2) or more inches long in which the blade is propelled from the handle when a button or other release device is activated, releasing the tension on the spring. A springloaded knife is commonly referred to as the Soviet Special Forces or Soviet paratroopers knife.

(4) Any person violating the provisions of this Section is guilty of:

(a) a Class B offense for the first offense; or,

(b) a Class A offense for any subsequent offense.

## **New Mexico**

State of New Mexico Statute [29-19-10. Validity of license on tribal land.](#)

A concealed handgun license shall not be valid on tribal land, unless authorized by the governing body of an Indian nation, tribe or pueblo.

### **Pueblo of San Ildefonso**

#### **Sec. 13.9 - Carrying Concealed Weapon.**

Any person who shall go about in public places armed with a dangerous weapon concealed upon his person unless he otherwise shall have a permit signed by the Governor and/or Judge, shall be deemed guilty of the offense and upon conviction thereof, shall be sentenced to confinement for a period not to exceed sixty (60) days or to pay a fine not to exceed \$150.00 or both, with costs. Dangerous weapons within the meaning of the foregoing shall be construed to mean: Air gun, blow gun, explosive device, pistol, or other firearm, and any type of knife which the blade exceeds 3 inches, and any other instrument capable of lethal use, possessed under circumstances not appropriate for lawful use.

## **New York**

### **Oneida Indian Nation**

#### **809. Criminal Possession Of A Weapon In The Third Degree**

A Native American is guilty of criminal possession of a weapon in the third degree when:

1. He commits the crime of criminal possession of a weapon in the fourth degree as defined in subdivision one, two, three or five of section 807, and has been previously convicted of any crime; or
2. He possesses any explosive or incendiary bomb, bombshell, firearm silencer, machine-gun or any other firearm or weapon simulating a machine-gun and which is adaptable for such use; or
3. He knowingly has in his possession a machine-gun, firearm, rifle or shotgun which has been defaced for the purpose of concealment or prevention of the detection of a crime or misrepresenting the identity of such machine-gun, firearm, rifle or shotgun; or
4. He possesses any loaded firearm. Such possession shall not, except as provided in subdivision one, constitute a violation of this section if such possession takes place in such person's home or place of business.
5. (i) He possesses twenty or more firearms; or

(ii) he possesses a firearm and has been previously convicted of a felony or a class A misdemeanor defined in this code within the five years immediately preceding the commission of the offense and such possession did not take place in the person's home or place of business.

Criminal possession of a weapon in the third degree is a class D felony.

## North Carolina

### Eastern Band of Cherokee Indians of North Carolina

#### Sec. 14-34.11. Aggravated weapons offense.

(a) It shall be unlawful to carry a dangerous weapon concealed on the person or to threaten to use or exhibit a dangerous weapon in a dangerous and threatening manner, or use a dangerous weapon in a fight or quarrel; or to possess a shotgun or rifle having a barrel or barrels of less than 16 inches in a length or an altered or modified shotgun or rifle less than 24 inches overall length.

(b) Aggravated weapons offense shall be punishable by a fine not to exceed \$5,000.00, by a term of imprisonment not to exceed one year, by exclusion for a period of not less than one nor more than five years, or by any combination of them.

#### Sec. 14-34.1. - Educational property.

(a) The following definitions apply in this section:

(1) *Educational property.* Any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used or operated by any board of education, school, college or university.

(b) It shall be a criminal offense for any person to possess or carry, whether openly, or concealed, any weapon on educational property.

#### Sec. 14-34.2. - Other assemblies.

(a) It shall be unlawful for any person to carry any gun, rifle, or pistol into any assembly where a fee has been charged for admission thereto, or into any establishment in which alcoholic beverages are consumed. Any person violating the provisions of this section shall be guilty of a criminal offense.

#### Sec. 14-34.10. - Weapons offense.

(a) It shall be unlawful to:

(2) Carry a loaded firearm in a vehicle on a public road without lawful authority to do so; or to discharge any kind of firearm from a motor vehicle without lawful authority to do so; or to discharge a firearm from, upon or across any public highway without lawful authority to do so.

(Ord. No. 117, 3-3-2000)

**Note:** I have verbal confirmation from the Cherokee Nation that carry is allowed with a valid permit/license on the reservation. All Places Off Limits in NC law apply on the Reservation. On 12/1/11 NC will honor all other states permit/licenses. I am not sure the Cherokee will honor all of those. Again this is just a verbal confirmation and I have nothing in writing. Use Caution.

## North Dakota

### Sisseton-Wahpeton Oyate

#### Tide VIII-Weapons Offenses

#### **26-08-01 Carrying a Concealed Firearm**

Any person, except police officers in the performance of their duties, who shall go about in public places with a firearm concealed upon his person unless he shall have, in his possession, a valid permit to carry a concealed firearm recognized by the SWO, shall be deemed guilty of Carrying A Concealed Firearm. A violation of this section is a Class D Misdemeanor

## **Turtle Mountain Chippewa**

### **26.1805 Possession of firearm or dangerous weapon in liquor establishment or gambling site**

1. A person who possesses a firearm or dangerous weapon in an establishment engaged in the retail sale of alcoholic beverages or used as a gambling site is guilty of a Class 2 offense. This section does not apply to:

- a. A law enforcement officer;
- b. The proprietor;
- c. The proprietors employee;
- d. A designee of the proprietor when the designee is displaying an unloaded firearm or dangerous weapon as a prize or sale item in a raffle or auction.

### **26.1806 Possession of firearm at a public gathering**

A person, without special permission, who possesses a firearm at a public gathering, is guilty of a Class 2 offense. For the purpose of this section, "public gathering" includes athletic or sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, and individuals in publicly owned parks where hunting is not allowed by proclamation and publicly owned or operated buildings.

### **26.1810 Carrying loaded firearm in vehicle**

1. No person may keep or carry a loaded firearm in or on any motor vehicle within the Turtle Mountain Jurisdiction. Any person violating this section is guilty of a Class 1 offense. This prohibition does not apply to:

- a. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organization while possessing the firearm issued to the member by the organization and while on official duty;
- b. A law enforcement officer, except while the officer is engaged in hunting or trapping activities with a rifle or shotgun;
- c. A security guard or private investigator licensed to carry firearms by the attorney general, or the Turtle Mountain Tribe;
- d. Any person possessing a valid special permit issued by the Chief of Police or any person authorized by him.

### **26.1814 Carrying handgun - restrictions – exceptions**

1. A handgun may be carried by a person not prohibited from possessing one by §26.1802 of this Title or any other Tribal statute, in a manner not prohibited by section §26.1810 of this Title if:

- a. Between the hours of one hour before sunrise and one hour after sunset, the handgun is carried unloaded and either in plain view or secured.
- b. Between the hours of one hour after sunset and one hour before sunrise, the handgun is carried unloaded and secured.

2. The restrictions provided in subdivisions (a) and (b) of subsection 1 do not apply to:

- a. Any person possessing a valid Turtle Mountain or A North Dakota concealed weapons license;

## **Oklahoma**

### **The Absentee Shawnee Tribe Of Oklahoma**

#### **Section 507. Weapons Offense**

**(a) It shall be unlawful for any person:**

**(1) EXCEPT A DULY APPOINTED PEACE OFFICER** to carry upon or about his or her person, or in a portfolio or purse, any dangerous weapon, or firearm, except as may otherwise be provided for in the Code of Laws of the Absentee- Shawnee Tribe of

Oklahoma.

(2) EXCEPT A DULY APPOINTED PEACE OFFICER, to carry into any church or religious assembly, or any other place where persons are assembled for worship, for gaming, for amusement, or for educational or scientific purposes, or into any public or Tribal exhibition of any kind, or any social gathering, Tribal Election, or political meeting or any other Tribal assembly, or upon any Tribal buildings, camp grounds, or Tribal Lands any dangerous weapon, or firearm, except as may otherwise be provided for in the Code of Laws of the Absentee-Shawnee Tribe of Oklahoma.

(3) To carry a loaded firearm in a vehicle on a public road without lawful authority to do so; or to discharge any kind of firearm from a motor vehicle without lawful authority to do so; or to discharge a firearm from, upon or across any public highway without lawful authority to do so.

**(b) Definitions:**

(1) "Dangerous weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In determining whether an item, object or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object or thing the character of the wound produced, if any, and the manner in which the instrument, item or thing was used shall be determinative.

(2) "Firearms" mean pistols, revolvers, rifles, shotguns, and any device that is capable of being used as a weapon because it expels a projectile by some means of force.

(3) A firearm or other weapon shall be deemed loaded when there is an unexpended cartridge, shell or projectile in the firing position except in the case of pistols and revolvers, in which case they shall be deemed loaded when the unexpended cartridge, shell or projectile is in such a position as next to be fired.

(c) Weapons offense shall be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250.00), or by a term of imprisonment in the Tribal jail not to exceed three months, or both, or by any combination to the aforesaid punishments as may be set forth by the Tribal Court, or banishment for a period not to exceed three months.

## **Cheyenne-Arapaho Tribes of Oklahoma**

### **Section 507. Weapons Offense**

**(a) It shall be unlawful to:**

(1) Have a dangerous weapon in one's actual possession while being addicted to any narcotic drug; or after having been declared mentally incompetent; or while being intoxicated or otherwise under the influence of alcoholic beverages or other intoxicating substance, drug, or medicine; or while possessing the intent to unlawfully assault another; or while under the age of sixteen years old, and without the consent of his parent or guardian.

(2) Carry a loaded firearm in a vehicle on a public road without lawful authority to do so; or to discharge any kind of firearm from a motor vehicle without lawful authority to do so; or to discharge a firearm from, upon or across any public highway without lawful authority to do so.

**(b) Definitions:**

(1) "Dangerous weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In determining whether an item, object or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object or thing the character of the wound produced, if any, and the manner in which the instrument, item or thing was used shall be determinative.

(2) "Firearms" mean pistols, revolvers, rifles, shotguns, and any device that is capable of being used as a weapon because it expels a projectile by some means of force.

(3) A firearm or other weapon shall be deemed loaded when there is an unexpended cartridge, shell or projectile in the firing position except in the case of pistols and revolvers, in which case they shall be deemed loaded when the unexpended cartridge, shell or projectile is in such position as next to be fired.

(c) **Weapons offense** shall be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250.00), or by a term of imprisonment in the Tribal jail not to exceed three months, or both.

#### **Section 508. Aggravated Weapons Offense**

(a) It shall be unlawful to carry a dangerous weapon concealed on the person or to threaten to use or exhibit a dangerous weapon in a dangerous and threatening manner, or use a dangerous weapons in a fight or quarrel; or to possess a shotgun or rifle having a barrel or barrels of less than sixteen inches in a length or an altered or modified shotgun or rifle less than twenty- four inches overall length.

(b) Aggravated weapons offense shall be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by a term of imprisonment in the Tribal jail not to exceed one year, or both.

### **Pawnee Tribe**

#### **Section 508. Aggravated Weapons Offense**

(a) It shall be unlawful to carry a dangerous weapon concealed on the person or to threaten to use or exhibit a dangerous weapon in a dangerous and threatening manner, or use a dangerous weapons in a fight or quarrel; or to possess a dangerous weapon at any meeting held pursuant to the Tribal Constitution or Tribal laws, including, but not limited to, Tribal Council meetings, Election Committee meetings, and all sessions of the Tribal Court; (or to possess a shotgun or rifle having a barrel or barrels of less than sixteen inches in length or an altered or modified shotgun or rifle less than twenty-four inches in all in length).

(b) Aggravated weapons offense shall be punishable by a fine not to exceed Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) or by a term of imprisonment in the Tribal jail not to exceed one year, or both.

(c) A sentence of banishment for a period not less than five years but to a maximum life may be imposed in addition to the punishment authorized above.

(d) Tribal Police and other deputized officers may carry authorized firearms.

(e) Individuals may possess firearms in and around their homes for protection, and for hunting; provided that the firearms are not used in an unlawful and threatening manner.

### **Seminole Nation**

#### **Section 144. Carrying Concealed Weapons.**

A person who goes about in public places armed with a dangerous weapon concealed upon his or her person is guilty of a misdemeanor unless he or she has a permit to do so signed by a magistrate of the Court of Indian Offenses.

[HISTORY: Enacted by Ordinance No. 2005-04, March 5, 2005.

## **Oregon**

### **Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon**

#### **3.1.110 Carrying or Displaying a Weapon**

Any person who shall (1) carry concealed on his person, or (2) carry, exhibit, display or draw any pistol, firearm, dagger, sword, knife, or other cutting or stabbing instrument, club, or any other weapon, apparently capable of producing bodily harm in a manner, under circumstance, and at any time in tribal or BIA buildings on the Reservation, that either manifests in intent to intimidate other or that

warrants alarm for the safety of other persons shall be guilty of carrying or displaying a weapon. The provision of this section shall not apply to any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty or to any person engaged in military activities sponsored by Federal or state governments. Carrying or Displaying a Weapon is a Class A offense.

### **3.1.111 Carrying of Concealed Weapon**

Any person who carries concealed upon the person any gun (unless person has state issued concealed weapon permit) or knife having a blade that projects or swings into position by force of a spring or by centrifugal force, any dirk, dagger, ice pick, metal knuckles, or any similar instrument by the use of which injury could be inflicted upon the person or property of any other person is guilty of Carrying A Concealed Weapon. Weapons lawfully seized under this section may be forfeited to the Tribe pursuant to Tribal Civil forfeiture procedures.

Carrying a Concealed Weapon is a Class B offense.

## **Confederated Tribes of The Coos, Lower Umpqua and Siuslaw Indians Tribal Code**

### **3-3-45 Possession or Discharge of a Firearm or Dangerous Weapon**

- (a) A person commits the violation of discharging a firearm if the person, other than law enforcement officers acting within the scope of their employment, discharges a firearm on tribal lands.
- (b) A person commits the violation of possession of a weapon if the person, other than police officers acting within the scope of their employment or weapons properly stored within the private areas of a home in tribal housing, possesses a weapon on tribal lands.
- (c) Possession of a weapon or discharge of a firearm on tribal lands, shall not be a violation if it is done by a tribal member or guest as part of a tribe sponsored cultural activity, or legal hunting or target shooting in an area in which hunting or shooting is permitted.
- (d) Violation of this section is a Class E Violation.

## **Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon**

### **Section 67. Carrying concealed weapon.**

It is unlawful for any person to go about in public or private places, tribal buildings, schools, and health or wellness centers armed with a dangerous weapon, concealed upon his person, unless he shall have a permit from the Tribal Council to carry the same in his possession, is guilty of a Class C offense.

## **Confederated Tribes of the Siletz Indians**

### **§ 12.119 Unlawful Possession Of Firearms: Class B**

- (a) Knowingly possessing any machine gun not registered as required under federal law; or
- (b) Knowingly carrying any firearm concealed upon the person, without having a license to carry a concealed firearm; or
- (c) Knowingly carrying concealed and readily accessible about the person within any vehicle which is under the person's control or direction any firearm capable of being concealed upon the person, without having a license to carry such firearm.

**Note:** It doesn't say who must issue the license. State or Tribe?

## **Confederated Tribes of the Umatilla Reservation**

### **Park XV Section 4.156. Concealed Weapons**

- A. It shall be unlawful for any person to carry a concealed dangerous weapon upon his person without also having in his possession a permit signed by a Judge of the Umatilla Tribal Court, the Chief of the Umatilla Tribal Police Department, and countersigned by the Superintendent of the Umatilla Agency.
- B. Upon conviction, any weapons so carried shall be confiscated by order to the Umatilla Tribal Court.
- C. This section does not apply to persons in their place of residence or business or to duly appointed law enforcement officers.

### **Section 4.157. Concealed Weapon Permits**

- A. The Judges of the Umatilla Tribal Court and the Chief of the Umatilla Tribal Police Department shall not issue a permit or carry a concealed weapon unless the applicant has demonstrated to their satisfaction:
  - 1. Good cause exists for the issuance thereof;
  - 2. The applicant is of good moral character.
- B. Any applications under this section shall be in writing signed by the applicant and shall state his name, occupation, residence, business address, date of birth, height, weight, color of eyes and hair and reason for requesting a permit. In addition, it shall contain a description of the weapon to be carried, name of manufacturer, serial number, caliber and barrel length thereof.
- C. There shall be collected by the Chief of the Umatilla Police Department a fee of \$20.00 for each permit issued.
- D. Any permit issued under this section shall be valid for a period of one year from the date of issuance.
- E. Any permit issued under this section shall be valid only within the exterior boundaries of the Umatilla Indian Reservation.
- F. No tribal official engaged in the receipt and review of any application for or in the issuing of denial of any license under this section shall incur any civil or criminal liability as the result of the lawful performance of his duties under this section.

## **Confederated Tribes of the Warm Springs Reservation**

### **305.412 Carrying Concealed Weapons.**

- (1) For purposes of this section, a dangerous weapon shall be any revolver, pistol or other firearm, whether loaded or unloaded, any knife, other than an ordinary pocket knife, or any dirk, dagger, sling shot, metal knuckles, explosive or incendiary devices, or any instrument by the use of which injury could be inflicted upon the person or property of any other **person**.
- (2) Any Indian who shall go about in public places armed with a dangerous weapon concealed upon his person or concealed within his vehicle unless he shall have a permit signed by a Judge of the Tribal Court and countersigned by the Superintendent of the Reservation, shall be deemed guilty of carrying a concealed weapon.

### **305.415 Carrying Weapons, When Prohibited.**

- (1) Notwithstanding the provisions of WSTC 305.412 any Indian other than a duly authorized law enforcement officer who carries any dangerous weapon as defined in WSTC 305.412(1), whether concealed or openly, in any public building, office, store, school or at any public gathering shall be deemed guilty of unlawfully carrying a weapon.
- (2) Any Indian who carries or possesses a firearm while under the influence of intoxicants shall be deemed guilty of unlawfully carrying or possessing a firearm.

## **South Dakota**

### **Oglala Sioux Tribe**

### **510 . CARRYING CONCEALED WEAPONS (Former Section 66 and 66.1)**

Any Indian who shall go about in public places armed with a dangerous weapon concealed upon his person, unless he shall have a permit signed by a Judge of the Oglala Sioux Tribal Court and countersigned by the Superintendent

of the Reservation, shall be deemed guilty of an offense and upon conviction thereof, shall be sentenced to labor for a period not to exceed thirty (3) days or a fine not to exceed sixty dollars (460.00), or to both such fine and imprisonment, with costs; and the weapon so carried may be confiscated.

### **SECTION 510.2 POSSESSION OF CERTAIN FIREARMS PROHIBITED.**

No person shall, within the Pine Ridge Reservation of the Oglala Sioux Tribe, own, possess, or transport any prohibited firearms, or destructive devices, or any other weapon, other than any duly appointed law enforcement officer when such officers are on duty and enforcing law and order on the Pine Ridge Reservation.

### **SECTION 510.3 PENALTIES.**

Any person subject to the jurisdiction of the Oglala Sioux Tribe who violates Section 66.2 thereof shall be guilty of an offense, and upon conviction thereof, shall be sentenced to labor for a period not to exceed ninety (90) days, or to pay a fine not to exceed three hundred dollars (\$300.00), or to both such fine and imprisonment, with costs; and such prohibited firearm shall be subject to forfeiture by the Oglala Sioux Tribal Court.

1. Exclusion. Any person who is not subject to the jurisdiction of the Oglala Sioux Tribe who violates Section 66.2 hereof shall be subject to removal from the Pine Ridge Reservation upon issuance of a written order of exclusion by the Court, after a hearing upon reasonable notice pursuant to Art. IV, Sec. 1 of the Constitution and Ordinance No. 73.08, as amended.
2. Interpretation. The term used in this ordinance are intended to prohibit the possession, ownership or transportation within the Pine Ridge Reservation or any firearm which is subject to registration with the National Firearms Registration and Transfer Board pursuant to provisions of the Act of October 22, 1968, 82 Stat. 1229, 26 U.S.C., Section 5841, or any successor provision of Federal law. In applying definitions set forth herein, reference the Treasury pursuant to that Act.
3. Antique Weapons Exception. This Section shall not apply to antique firearms, falling within the definition of subsection (1) above, unsuitable for use as firearms and possessed as curiosities or ornaments or collector's items.

## **Rosebud Sioux Tribe**

### **5-11-5 Carrying A Concealed Weapon**

Any person, other than a law enforcement officer engaged in the discharge of his duties, who carries, loaded or unloaded, concealed about his person, any firearm or other dangerous weapon without an appropriate Tribal license, shall be guilty of the crime of carrying a concealed weapon.

Carrying a concealed weapon is a Class B crime.

## **Yankton Sioux Tribe**

### **Sec. 3-11-3 Carrying Concealed Weapon**

Any person, other than a law enforcement officer engaged in the discharge of his/her duties, who without an appropriate tribal license, carries a loaded or unloaded weapon concealed about his/her person, is guilty of a Class B crime.

### **Sec. 3-11-9 Possession of Weapon by Intoxicated Person**

Any person who is under the influence of an alcoholic beverage, controlled substance, or any other intoxicating medicine or substance, who has possession of or under his or her control a weapon or destructive device, is guilty of a Class A misdemeanor.



## Texas

### Ysleta Del Sur Pueblo

#### Section 4.4.20. Carrying a Prohibited Weapon.

A person commits the civil infraction of Carrying a Prohibited Weapon if he bears or carries on or about his person;

- (A) an illegal knife; or
- (B) firearm or airgun (when used illegally); or
- (C) other dangerous weapons as defined.

The Alguacil or any member of the Tribal Police force may, upon probable cause, confiscate the weapon from any person who violates this section.

#### 4.4.21. Exceptions.

No person may bear or carry a firearm on the Reservation of Ysleta del Sur Pueblo except the following authorized persons with a lawful permit issued by the Tribal Council or such other authority designated by it, or by written permit or other authority of the United States:

1. The Alguacil (Tribal Sheriff) when performing official duties; or
2. a member of the Tribal Law Enforcement; or
3. any other law enforcement officer when performing official duties; or
4. any security personnel under contract with the Tribe; or
5. the proper participants in a tribal religious activity may carry a firearm with the proper background investigation; or
6. any person living on the Reservation may possess a weapon within such persons residence; or
7. any person may bear or carry on his person a firearm when transporting a weapon to or from his residence.

#### 4.4.22. Civil Penalty.

An infraction committed under this section is a:

Class B infraction unless committed under **subsection b** in which case it becomes a Class A infraction.

The weapon involved when the violation was committed is subject to forfeiture by the Court to the Tribe.

## Utah

### Ute Indian Tribe of the Uintah & Ouray Reservation

#### §13-4-112. Weapons Offense.

(I) A person shall be guilty of weapons offense if:

- (a) being addicted to any narcotic drug, or having been declared mentally incompetent, he owns or has in his possession or under his custody or control a dangerous weapon; or
- (b) being intoxicated or otherwise under the influence of alcoholic beverages or other intoxicating substance, drug, or medicine, he has a dangerous weapon in his possession or under his custody or control; or
- (c) he carries a loaded firearm in a vehicle on a public road without lawful authority to do so; or
- (d) he has on his person a dangerous weapon with intent to unlawfully assault another; or
- (e) he discharges any kind of firearm from a motor vehicle without lawful authority to do so; or
- (f) he discharges a firearm from, upon or across any public highway without lawful authority to do so; or
- (g) being under the age of 16 years old, he possesses a firearm without the consent of his parent or guardian.

**(2) Definitions:**

(a) "Dangerous weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In determining whether an item, object or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object or thing, the character of the wound produced, if any, and the manner in which the instrument, item or thing was used shall be determinative.

(b) "Firearms" means pistols, revolvers, rifles, shotguns, and any device that is capable of being used as a weapon because it expels a projectile by some means of force.

(3) A firearm or other weapon shall be deemed loaded when there is an unexpended cartridge, shell or projectile in the firing position, except in the case of pistols and revolvers, in which case they shall be deemed loaded when the unexpended cartridge, shell or projectile is in a position that the manual operation of any mechanism once would cause the unexpended cartridge, shell, or projectile to be fired.

(4) Weapons offense is a Class B offense.

**§13-4-113. Aggravated Weapons Offense.**

(1) A person is guilty of aggravated weapons offense if:

- (a) he carries a dangerous weapon concealed on his person; or
- (b) he threatens to use or exhibits a dangerous weapon in a dangerous and threatening manner, or uses a dangerous weapon in a fight or quarrel; or
- (c) he possesses a shotgun or rifle having a barrel or barrels of less than 16 inches in length or an altered or modified shotgun or rifle less than 26 inches overall length.

(2) Aggravated weapons offense is a Class A offense.

**Washington**

**Colville Reservation, Confederated Tribes of the, Washington**

**3-1-13 Weapons, Carrying Concealed**

Any person, other than a bona fide law enforcement officer of any jurisdiction, who shall go in a public place armed with a loaded or unloaded firearm, any explosive device, any instrument with a sharpened

blade longer than four inches, or a club longer than twelve inches, concealed upon his or her person, unless he or she shall have a current valid permit to carry such a weapon concealed signed by the Chief of the Colville Tribal Police under regulations promulgated by the chief, shall be guilty of Carrying A Concealed Weapon. Carrying A Concealed Weapon is a Class A offense. Weapons lawfully seized under this section may be forfeited to the Tribes pursuant to tribal civil forfeiture procedures.

(Adopted 11/20/86, Resolution 1986-598)

## **Jamestown S'Klallam Tribe**

### **Section 21.04.05 Carrying a Concealed Firearm**

Any person who knowingly conceals a firearm upon their person or who carries a firearm within the passenger compartment of any vehicle, without a valid permit to carry a firearm granted by the Tribe shall be guilty of an offense and upon conviction shall be sentenced to:

- A. Jail for a period not to exceed ninety (90) days; or
- B. A fine not to exceed two hundred dollars (\$200.00), or both.

The weapon may be confiscated.

## **Kalispel Tribe**

### **9-5.06 Concealed Weapons**

Any person who shall go about in public places armed with a deadly weapon concealed upon his person unless he shall have a permit signed by a Judge of the Kalispel Tribal Court, shall be deemed guilty of concealed weapons. The Tribal Court, in addition to any other sentence authorized by law, may confiscate and dispose of the weapons so carried. The term "deadly weapon" as used in this Code shall be defined as one likely to produce death or great bodily injury.

### **9-5.07 Loaded Firearm In Vehicle**

Any person who shall have a loaded firearm, which shall be a firearm with a cartridge in the chamber, magazine, clip or cylinder in a vehicle within the boundaries of the Kalispel Reservation shall be deemed guilty of loaded firearm in vehicle.

## **Lummi Nation**

### **5.04.080 Carrying Concealed Weapon**

A person who is in a public place armed with a dangerous weapon concealed upon his person, unless he has a permit signed by a Lummi, state, or federal law enforcement department, is guilty of an offense and, upon conviction, shall be sentenced to imprisonment for a period not less than 30 days and not to exceed 180 days and a fine not to exceed \$2,500, and the weapons so carried may be confiscated and forfeited on order of the Tribal Court.

## **Makah Nation**

### **§5.6.05 Weapons Offense**

Any person who, without lawful authority to do so, carries a loaded firearm in a vehicle on a public road, has on his person a dangerous weapon with intent unlawfully to assault another, discharges any kind of firearm from, upon or across any public highway, is under the

age of sixteen year: and possesses a firearm without the consent of his parent or guardian, carries a dangerous weapon concealed upon his person, threatens to use or exhibits a dangerous weapon in a dangerous and threatening manner, or uses a dangerous weapon in a fight or quarrel, shall be deemed guilty of a weapons offense. Weapons offense is a Class B offense.

## **Nisqually Tribe**

### **10.10.01 Weapons Violation**

A person is guilty of a weapons violation if such person:

- (a) Fires a gun within any settled community within the Nisqually Reservation; or
- (b) Fires a gun in any other place where any person might be endangered or any property damaged by it; or
- (c) Fires a gun while under the influence of alcohol or drugs; or
- (d) Aims a firearm, whether loaded or not, at or towards any person; or
- (e) Sets a spring gun; or
- (f) Is in a public place with a firearm or other dangerous weapon concealed upon his or her person without any license required by the Nisqually Tribe or the State of Washington. A weapons violation is a Class II offense.

## **Sauk-Suiattle Indian Tribe**

### **5.11.010 Loaded Firearm in Vehicle.**

Any person who knowingly leaves unattended a, loaded firearm or other dangerous weapon in an unlocked vehicle where it is visible from outside the vehicle, shall be guilty of Loaded Firearm in Vehicle. Loaded Firearm in Vehicle is a general crime.

### **5.11.020 Loaded Firearm in Vehicle.** Possession of Concealed Handgun.

Any person who, without a permit, shall possess a handgun on his person or within his reach in a vehicle, in a concealed manner shall be guilty of Possession of Concealed Handgun. Possession of Concealed Handgun is a general crime.

### **5.11.030 Loaded Firearm in Vehicle.** Possession of a Loaded Firearm in Public.

Any person who shall possess a loaded firearm within the reservation community and outside of a dwelling shall be guilty of Possession of a Loaded Firearm in Public. Possession of a Loaded Firearm in Public is a general crime.

### **5.11.030 Loaded Firearm in Vehicle.** Possession of a Weapon While Under the Influence of Alcohol or a Controlled Substance.

Any person, whether he or she has a concealed weapons permit or not, who carries a firearm on his or her person while under the influence of alcohol or a controlled substance, shall be guilty of Possession of a Firearm While Under the Influence of Alcohol or a controlled substance. Possession of a Firearm While Under the Influence of Alcohol or a controlled substance is a major crime.

## Skokomish Tribe

### 9.05.010 Carrying a Concealed Firearm or Other Deadly Weapon

Any person who knowingly conceals a firearm or other deadly weapon upon his or her person or within the passenger compartment of any vehicle, without a valid permit to carry a firearm or other deadly weapon granted by the Skokomish Indian Tribe, or other competent jurisdiction, shall be guilty of a class B offense.

Law Enforcement may seize any weapon that is being held or concealed in violation of this ordinance.

## Snoqualmie Tribe

### 10.1 Carrying A Concealed Firearm Or Other Deadly Weapon

(a) Any person who knowingly conceals a firearm or other deadly weapon upon his or her person, or within any vehicle, without a valid permit to carry a firearm or other deadly weapon granted by the Snoqualmie Indian Tribe (such as to Tribal police officers, or other law enforcement officers from other recognized jurisdictions), shall be guilty of carrying a concealed firearm or other deadly weapon.

(b) Carrying a concealed firearm or other deadly weapon shall be a class B offense.

## Squaxin Island Tribe

### 9.12.830 Sale, possession or use of certain weapons.

A. No person shall:

1. Sell, dispose of, manufacture, or have in possession a dangerous weapon;
2. Use a device for suppressing the noise of any firearm;
3. Carry with intent to conceal a dagger or dangerous weapon; or
4. Carry a concealed pistol without a license from the Squaxin Island Tribe, if required, or the state of Washington.

B. Any violation of this section shall be a gross misdemeanor.

### **9.12.870 Firearms on tribal lands.**

No person shall carry any firearm or other dangerous weapon in or within fifty (50) feet of any building or structure on lands owned or controlled by the Squaxin Island Tribe, with the exception of private residences located on tribal lands; provided that this regulation shall not apply to duly authorized federal, state and local law enforcement officers or to any federal, state or local government employee authorized to carry firearms in the course of their public employment. Any person violating this section shall be subject to a fine of one hundred dollars (\$100.00).

## Swinomish Tribe

### 4-05.010 Carrying Concealed Weapon.

(A) Any person who goes about in public places armed with a dangerous weapon or firearm concealed upon his or her person, without having a current valid concealed weapons permit issued by the Tribe or another jurisdiction, commits the **Class B offense** of carrying a concealed weapon.

## Tulalip Tribe

### 6.12.1. Carrying Concealed Weapon.

(1) A person commits the offense of carrying a concealed weapon by knowingly carrying or bearing a dirk, dagger, pistol, revolver, slingshot, sword cane, billy club, knuckles made of any metal or other hard substance, knife having a blade at least 4 inches long, non-safety type razor, or any other deadly weapon which is wholly or partially covered by the clothing or wearing apparel of the person carrying the weapon, or is carried any place within the occupant compartment of a motor vehicle.

(2) Subsection (1) does not apply to:

(a) any law enforcement officer;

(b) a person authorized by a judge of the Tribal Court to carry a concealed weapon;

(c) a person permitted under state and tribal law to carry a concealed weapon; or

(d) the carrying of arms on one's own premises or at

## **For your Information Washington Law**

### **[RCW 10.92.020](#)**

**Powers** — Authority to act as general authority Washington peace officer — Public liability and property damage insurance — Training requirements — Issuance of citation, notice of infraction, or incident report — Jurisdiction — Civil liability — Sovereign tribal governments — Interlocal agreement.

(1) Tribal police officers under subsection (2) of this section shall be recognized and authorized to act as general authority Washington peace officers. A tribal police officer recognized and authorized to act as a general authority Washington peace officer under this section has the same powers as any other general authority Washington peace officer to enforce state laws in Washington, including the power to make arrests for violations of state laws.

(2) A tribal police officer may exercise the powers of law enforcement of a general authority Washington peace officer under this section, subject to the following:

(a) The appropriate sovereign tribal nation shall submit to the office of financial management proof of public liability and property damage insurance for vehicles operated by the peace officers and police professional liability insurance from a company licensed to sell insurance in the state. For purposes of determining adequacy of insurance liability, the sovereign tribal government must submit with the proof of liability insurance a copy of the interlocal agreement between the sovereign tribal government and the local governments that have shared jurisdiction under this chapter where such an agreement has been reached pursuant to subsection (10) of this section.

(i) Within the thirty days of receipt of the information from the sovereign tribal nation, the office of financial management shall either approve or reject the adequacy of insurance, giving consideration to the scope of the interlocal agreement. The adequacy of insurance under this chapter shall be subject to annual review by the state office of financial management.

(ii) Each policy of insurance issued under this chapter must include a provision that the insurance shall be available to satisfy settlements or judgments arising from the tortious conduct of tribal police officers when acting in the capacity of a general authority Washington peace officer, and that to the extent of policy coverage neither the sovereign tribal nation nor the insurance carrier will raise a defense of sovereign immunity to preclude an action for damages under state or federal law, the determination of fault in a civil action, or the payment of a settlement or judgment arising from the tortious conduct.

(b) The appropriate sovereign tribal nation shall submit to the office of financial management proof of training requirements for each tribal police officer. To be authorized as a general authority Washington peace officer, a tribal police officer must successfully complete the requirements set forth under RCW [43.101.157](#). Any applicant not meeting the requirements for certification as a tribal police officer may not act as a general authority Washington peace officer under this chapter. The criminal justice training commission shall notify the office of financial management if:

(i) A tribal police officer authorized under this chapter as a general authority Washington state peace officer has been decertified pursuant to RCW [43.101.157](#); or

(ii) An appropriate sovereign tribal government is otherwise in noncompliance with RCW [43.101.157](#).

(3) A copy of any citation or notice of infraction issued, or any incident report taken, by a tribal police officer acting in the capacity of a general authority Washington peace officer as authorized by this chapter must be submitted within three days to the police chief or sheriff within whose jurisdiction the action was taken. Any citation issued under this chapter shall be to a Washington court, except that any citation issued to Indians within the exterior boundaries of an Indian reservation may be cited to a tribal court. Any arrest made or citation issued not in compliance with this chapter is not enforceable.

(4) Any authorization granted under this chapter shall not in any way expand the jurisdiction of any tribal court or other tribal authority.

(5) The authority granted under this chapter shall be coextensive with the exterior boundaries of the reservation, except that an officer commissioned under this section may act as authorized under RCW [10.93.070](#) beyond the exterior boundaries of the reservation.

(6) For purposes of civil liability under this chapter, a tribal police officer shall not be considered an employee of the state of Washington or any local government except where a state or local government has deputized a tribal police officer as a specially commissioned officer. Neither the state of Washington and its individual employees nor any local government and its individual employees shall be liable for the authorization of tribal police officers under this chapter, nor for the negligence or other misconduct of tribal officers. The authorization of tribal police officers under this chapter shall not be deemed to have been a nondelegable duty of the state of Washington or any local government.

(7) Nothing in this chapter impairs or affects the existing status and sovereignty of those sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington as established under the laws of the United States.

(8) Nothing in this chapter limits, impairs, or nullifies the authority of a county sheriff to appoint duly commissioned state or federally certified tribal police officers as deputy sheriffs authorized to enforce the criminal and traffic laws of the state of Washington.

(9) Nothing in this chapter limits, impairs, or otherwise affects the existing authority under state or federal law of state or local law enforcement officers to enforce state law within the exterior boundaries of an Indian reservation or to enter Indian country in fresh pursuit, as defined in RCW [10.93.120](#), of a person suspected of violating state law, where the officer would otherwise not have jurisdiction.

(10) An interlocal agreement pursuant to chapter [39.34](#) RCW is required between the sovereign tribal government and all local government law enforcement agencies that will have shared jurisdiction under this chapter prior to authorization taking effect under this chapter. Nothing in this chapter shall limit, impair, or otherwise affect the implementation of an interlocal agreement completed pursuant to chapter [39.34](#) RCW by July 1, 2008, between a sovereign tribal government and a local government law enforcement agency for cooperative law enforcement.

(a) Sovereign tribal governments that meet all of the requirements of subsection (2) of this section, but do not have an interlocal agreement pursuant to chapter [39.34](#) RCW and seek authorization under this chapter, may submit proof of liability insurance and training certification to the office of financial management. Upon confirmation of receipt of the information from the office of financial management, the sovereign tribal government and the local government law enforcement agencies that will have shared jurisdiction under this chapter have one year to enter into an interlocal agreement pursuant to chapter [39.34](#) RCW. If the sovereign tribal government and the local government law enforcement agencies that will have shared jurisdiction under this chapter are not able to reach agreement after one year, the sovereign tribal governments and the local government law enforcement agencies shall submit to binding arbitration pursuant to chapter [7.04A](#) RCW with the American arbitration association or successor agency for purposes of completing an agreement prior to authorization going into effect.

(b) For the purposes of (a) of this subsection, those sovereign tribal government and local government law enforcement agencies that must enter into binding arbitration shall submit to last best offer arbitration. For purposes of accepting a last best offer, the arbitrator must consider other interlocal agreements between sovereign tribal governments and local law enforcement agencies in Washington state, any model policy developed by the Washington association of sheriffs and police chiefs or successor agency, and national best practices.

[2008 c 224 § 2.]

## Wyoming

### Shoshone and Arapaho Tribes of the Wind River Indian Reservation

#### Chapter 4 Offenses Against Public Order And Decency

##### Section 7-4-1 Carrying a Concealed Weapon

(1) No person who shall wear or carry a dangerous weapon concealed on or about his person, unless the person is a peace officer or holds a valid permit to carry it.

(2) Any person found guilty of violating this Section may, upon conviction, be sentenced to fifty (50) days payable, and the weapon so carried shall be confiscated.

#### **Section 7-4-2 Unlawful Discharge of a Weapon**

(1) No person shall willfully discharge any species of firearm, air gun, or other weapon, or throw any missile, in any public place or in any place where there is any person or property to be endangered thereby, regardless of whether or not injury to any person or property ensues.

(2) Any person found guilty of violating this Section may, upon conviction, be sentenced to not less than sixty (60) days nor more than one (1) year imprisonment, a fine of not less than \$500.00 nor more than \$5,000.00, or both, and the weapon so discharged or thrown shall be confiscated.

### **Updates to this Page**

**9/20/10** – All States Listed and laws added that could be found about traveling with a firearm in the listed states added.

**9/29/10** – Link to Indian “Tribal Sovereignty” by Scott E. Peterman added.

**11/10/10** – 8 to 10 additional Tribes listed.

**1/5/11** – Washington state law on Tribal Police added to Washington State Section.

**1/28/11** - Kalispel Tribe of Washington Added.

**2/22/11** - Nez Perce Tribe Law Updated with New Laws

**3/10/11** - Meskwaki Tribe in Iowa Added.

**4/5/11** – NM Law Link Repaired. All Links Checked.

**4/22/11** - Oglala Sioux Tribe info updated.

**5/3/11** – Washington State - Sauk-Suiattle Indian Tribe Information Added.

**7/22/11** - Sisseton-Wahpeton Oyate ND Tribe law Added.

**8/26/11 & 9/16/11** – Note on NC Cherokee Reservation Carry Verbally Confirmed Added. Updated Law with Restrictions.