

# Oneida Nation

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## **BC Resolution # 02-25-26-C Emergency Adoption of the Safe Neighborhoods Law**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Dru Sjodin National Sex Public Website provides information on sexual assault and sexual offending, including the following statistics:
- As many as 1 in 4 girls and 1 in 20 boys experience sexual abuse before age 18.
  - Over their lifetime, nearly 1 in 5 women and 1 in 71 men reported experiencing rape at some time in their lives.
  - Approximately 45% of women and 22% of men reported experiencing sexual violence other than rape in their lifetime.
  - Studies that have tracked adult sex offenders for longer periods of time show that the likelihood of re-offense for another sex crime ranges from 5% after 3 years to 24% after 15 years.
  - Compared to other crimes, sexual violence is the most underreported violent crime in the United States. Approximately 2 out of 3 or 65% of adult sexual assaults were not reported to the police between 2006-2010 and 68% of violent victimizations of youth aged 12-17 (includes rape/sexual assault, robbery and aggravated and simple assault) were not reported to police. The National Crime Victimization Survey 2016 found that only 23% of rapes and sexual assaults were reported to police; and
- WHEREAS,** the National Sexual Violence Resource Center website provides information on sexual assault in the United States and, including the following statistics:
- 1 in 5 women in the United States experienced completed or attempted rape during their lifetime.
  - Nearly a quarter (24.8%) of men in the U.S. experienced some form of contact sexual violence in their lifetime.
  - Nationwide, 81% of women and 43% of men reported experiencing some form of sexual harassment and/or assault in their lifetime.
  - 1 in 3 female victims of completed or attempted rape experienced it for the first time between the ages of 11 and 17.
  - About 1 in 4 male victims of completed or attempted rape first experienced it between the ages of 11 and 17; and

- WHEREAS,** risks posed by sex offenders against children are nationally recognized in such landmark legislation as the 1994 Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act; 1996 Megan's Laws; and the 2006 Adam Walsh Child Protection and Safety Act; and these risks are also recognized by legislation in every State in the United States of America including Wisconsin; and
- WHEREAS,** More than one hundred and fifty (150) municipalities in Wisconsin have enacted a sex offender residency restriction ordinance, including many of the surrounding municipalities such as Allouez, Ashwaubenon, Bellevue, Green Bay, Howard, Seymour, Suamico; and
- WHEREAS,** in early February 2026, the Oneida Business Committee was made aware that a Senior Probation and Parole Agent with the Wisconsin Department of Corrections - Division of Community Corrections, notified the Oneida Police Department of the pending release of a sex offender who has requested residence within the boundaries of the Oneida Reservation; and
- WHEREAS,** this notification by the Wisconsin Department of Corrections brought to the forefront that the Nation currently lacks any laws to regulate the presence and residency of sex offenders within the boundaries of the reservation; and
- WHEREAS,** the Safe Neighborhoods law ("the Law") is being proposed on an emergency basis in an effort to not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate; and
- WHEREAS,** this Law also recognizes the right of sex offenders to reenter the community, so through this law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community; and
- WHEREAS,** the Law prohibits a sex offender from being present or entering into specified prohibited locations that are primarily focused on areas in which children are known to congregate, while also providing exceptions for when a sex offender may enter a prohibited area; and
- WHEREAS,** the Law prohibits a sex offender from establishing a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited location, while also providing exceptions for when a sex offender may have a residence less than two thousand five hundred (2,500) feet of any prohibited location; and
- WHEREAS,** the Law prohibits a person or entity from selling, leasing, subleasing, renting, conveying, or otherwise allowing a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law; and
- WHEREAS,** the Law provides a process to allow a sex offender to petition for a waiver of the residence restriction to the Oneida Police Department Chief of Police, and then appeal a denial of a waiver to the Oneida Public Safety and Security Commission; and

**WHEREAS,** the Law requires the Geographic Information System Department to develop and maintain an official map of the reservation showing prohibited locations and the resulting residency restrictions distances that is made available on the Nation's website; and

**WHEREAS,** the Law provides for the enforcement of violations of this Law and subsequent penalties that are available; and

**WHEREAS,** the Legislative Operating Committee developed the Law through collaboration with representatives from the Oneida Police Department, Oneida Law Office, and the Geographic Information Systems Department; and

**WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the adoption of the legislation is required sooner than would be possible under the Legislative Procedures Act; and

**WHEREAS,** emergency adoption of legislation is effective for a period of six (6) months, renewable by the Oneida Business Committee for an additional six (6) month term; and

**WHEREAS,** the emergency adoption of this Law is necessary for the immediate preservation of the safety and general welfare of the reservation population due to the fact that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate; and

**WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of this Law would be contrary to public interest and the process and requirements of the Legislative Procedures Act cannot be completed in time to ensure that the Law can be adopted and implemented in time to best protect the safety and general welfare of the reservation population; and

**WHEREAS,** the Legislative Procedures Act does not require a public meeting or fiscal impact statement when considering emergency legislation; and

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts, on an emergency basis, the Safe Neighborhoods law effective immediately.

*Map of Prohibited Locations and Residency Restriction Distances*

**BE IT FURTHER RESOLVED,** in accordance with section 310.7 of the Safe Neighborhoods law the Geographic Information System Department shall develop an official map of the reservation showing prohibited locations and the resulting residency restrictions distances to be posted on the Nation's website within thirty (30) days of the adoption of this resolution.

*Citations Schedule*

**BE IT FURTHER RESOLVED**, that in accordance with section 310.8-2(a) of the Safe Neighborhoods law the Oneida Business Committee hereby sets forth the following citation schedule to be used for violations of the Safe Neighborhoods law:

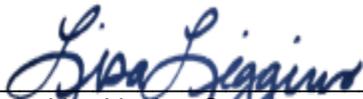
<b>SAFE NEIGHBORHOODS LAW CITATION SCHEDULE</b>					
<b>Violation</b>	<b>Reference</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense or More</b>	<b>Mandatory Appearance Required?</b>
Presence within a Prohibited Location	310.4-1	\$1000	\$1500	\$2000	Yes
Residence in a Restricted Area	310.5-1	\$1000	\$1500	\$2000	Yes
Prohibited Sale, Lease, or Rental or Property	310.5-5	\$1000	\$1500	\$2000	Yes

**BE IT FURTHER RESOLVED**, each day the violation exists shall be considered as a separate offense for which citations may be issued.

**BE IT FINALLY RESOLVED**, criminal charges and referrals may be appropriate in certain cases and are not prohibited.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 25th day of February, 2026; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Liggins, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."