

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible

RESOLUTION # 2-19-93-I

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, 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 Oneida Business Committee has determined, after much discussion and public meetings on the subject of Tribal Pardons, to enact an Ordinance to govern such pardons, and


WHEREAS, some enrolled members of the Oneida Tribe are presently ineligible to be employed in certain positions within the Oneida Tribal work force due to past criminal convictions, and

WHEREAS, the granting of pardons is within the Constitutional authority of the Oneida Tribe as a means of formal forgiveness where an orderly process indicates that a pardon may be merited.

NOW, THEREFORE, BE IT RESOLVED, the Oneida Business Committee hereby enacts the attached Oneida Pardon Ordinance to govern the application for, investigation of, and granting or denying of pardons to members of the Oneida Tribe as the Business Committee may deem appropriate.

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 19th day of February, 1993; that the foregoing 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meeting by a vote of 6 members for; 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee

ONEIDA PARDON ORDINANCE

ARTICLE I. PURPOSE

To forgive, by formal pardon, an Oneida Tribal member who has been convicted of a crime in another jurisdiction which conviction would render such person ineligible for employment or other tribal opportunities and benefits. Such forgiveness should address the nature of crime, when and where it occurred, conviction date and sentence, character investigation and recommendation of a tribal entity delegated responsibility for processing the application.

ARTICLE II. POLICY

It is the policy of the Oneida Tribe to grant limited pardons to Oneida Tribal members who have been convicted of crimes both felony and misdemeanor when such persons have demonstrated full rehabilitation, trustworthiness and commitment to lawful behavior.

It is the further policy to provide a fair and efficient regulatory process for persons who may seek pardons of the Oneida Tribe.

ARTICLE III. DEFINITIONS

- A. Applicant shall mean an enrolled member of the Oneida Tribe who, due to a criminal record is ineligible to participate in Tribal benefits, including employment, desires a Tribal Pardon.
- B. Convictions shall mean conviction of any crime in any court of competent jurisdiction.
- C. Crimes shall mean as defined in any body of law, tribal, federal, state or municipal.
- D. Oneida Business Committee shall mean the duly elected representatives of the Oneida General Tribal Council.
- E. Pardon shall mean the formal and public act of forgiveness of the Oneida Tribe to a Tribal member who has been convicted of a crime.
- F. Sponsor shall mean any member of the Oneida Business Committee who shall guide the application to its conclusion.
- G. Tribal member shall mean any person whose name appears on the official rolls of the Oneida Tribe.

ARTICLE IV. PROCEDURE

- A. How initiated: Each person seeking a pardon from the Oneida Tribe must:
1. Prove enrollment in the Oneida Tribe
 2. Secure a sponsor who is a Business Committee member
 3. Agree to cooperate and provide necessary releases and permissions for investigations
 4. Applicants are responsible to maintain an orderly and accessible file, indexed for review and available to each member of the Oneida Business Committee for deliberation on the matter.
- B. Application process must disclose:
1. Nature of crime or crimes
 2. Conviction date, place, sentence for each crime
 3. Length of time since conviction
 4. Character investigation, including victim statement, if applicable
 5. Certificate of completion of sentence
 - a. Persons on parole, probation or deferred prosecution shall not be eligible
- C. Process
1. The sponsor shall initiate the application at a formal meeting of the Oneida Business Committee.
 2. The sponsor shall provide all necessary information and progress at the request of the Oneida Business Committee or the Oneida General Tribal Council.
 3. The Oneida Business Committee shall create an Ad Hoc subcommittee composed of one (1) delegate from the Oneida Police Department, one (1) delegate from Oneida Family Services and one (1) person chosen by the sponsor, who shall assist in developing all information necessary upon which a recommendation shall be made. The sponsor shall preside over all meetings of the Ad Hoc subcommittee, and upon completion, as they shall determine, will make a formal recommendation to the Oneida Business Committee to grant or deny the application.
 4. This process will be conducted in the strictest confidence until a final decision is made.
- D. Recommendation
1. The Oneida Business Committee shall be formal Resolution, if deemed meritorious, grant the Pardon which shall be published in the next issue of the Kalihwisaks.

2. Upon grant or denial by the Oneida Business Committee, the Ad Hoc subcommittee shall be dissolved.
3. The decision of the Oneida Business Committee shall be final for a period of one (1) year in the event the application is denied.