

Memorandum of Agreement Between
Nebraska Board of Parole and
Winnebago Tribe of Nebraska

I. Purpose and Parties

WHEREAS, the Board of Parole has received requests from parole clients to reside at and/or visit lands that are owned and under the sovereign jurisdiction of the Winnebago Tribe of Nebraska (“Winnebago Tribal Lands”);

WHEREAS, the Winnebago Tribe of Nebraska is aware that individuals under the jurisdiction of the Board of Parole may desire to reside at and/or visit Winnebago Tribal Lands;

WHEREAS, the Board of Parole and its Office of Parole Administration / Division of Supervision and Services are unable to effectively supervise parole clients without the cooperation of the Winnebago Tribe of Nebraska; and

WHEREAS, the Nebraska Board of Parole and the Winnebago Tribe of Nebraska desire that individuals who are suitable candidates for parole be allowed, in appropriate circumstances and under appropriate conditions, to reside at and/or visit Winnebago Tribal Lands;

NOW THEREFORE, the Board of Parole and the Winnebago Tribe of Nebraska enter into this Memorandum of Agreement as set forth below.

II. Responsibilities

A. The Winnebago Tribe of Nebraska agrees to and grants permission to officers and employees acting with the authority of the Board of Parole to extend parole jurisdiction onto the Winnebago Tribal Lands in circumstances related to any individual recognized throughout the State of Nebraska as subject to the jurisdiction of the Board of Parole.

B. Officers and employees of the Board of Parole will be allowed onto Winnebago Tribal Lands for the purpose of arresting parole clients and searching any residence where a parole client resides and the owner has been advised that the conditions of parole allow for warrantless searches of a parole client’s residence.

C. Winnebago Tribal law enforcement officers and court authorities will assist upon request by the Board of Parole in the arrest and detention of parole clients that reside at and or visit Winnebago Tribal Lands;

D. Winnebago Tribal law enforcement officers and court authorities will recognize and enforce apprehension requests, detainer requests, and waivers of extradition that have been pre-signed by parole clients that may reside at and/or visit Winnebago Tribal Lands;

E. The Board of Parole and its Office of Parole Administration / Division of Supervision and Services agrees to investigate residence plans on Winnebago Tribal Lands and

approve such residence on Winnebago Tribal Lands when determined that such placement is appropriate for the parole client.

F. The Board of Parole and its Office of Parole Administration / Division of Supervision and Services agrees to permit parole clients to visit Winnebago Tribal Lands when such visits are deemed appropriate for the parole client who has exhibited compliant and satisfactory conduct while on parole.

III. Term of Agreement

This MOA shall be effective from the last date of all signatures below and shall be binding on the parties through their successors in office and shall remain in effect until terminated or amended by the parties acting jointly or upon notice of termination pursuant to the terms of this MOA.

IV. Modification / Provisions for Amendment

This MOA, or any of its specific provisions, may be modified with the written approval of each signatory (or successor) to the MOA.

V. Termination

This MOA may be terminated by either party with 60 days advanced notice.

VI. Limitations

Nothing in this MOA constitutes an obligation of funds by any of the parties or an authorization to engage in activities that are inconsistent with applicable law or policy. Similarly, nothing in this MOA restricts or otherwise limits the parties from engaging in activities that are otherwise consistent with applicable law or policy. In addition, nothing in this MOA creates or conveys any rights or potential causes of action to any person that may be affected by this MOA. All activities and projects initiated or implemented as a result of this MOA are subject to the availability of appropriated funds.

For the Board of Parole:

For the Winnebago Tribe of Nebraska

Rosalyn Cotton, Chairperson

Frank White, Tribal Council

Date

Date