



Notice of Proposed Amendments to Title 5 - Criminal Code & Request for Comments

The Southern Ute Indian Tribal Council is seeking comments on proposed amendments to the Criminal Code. A copy of the amended Criminal Code and Criminal Penalty Schedule can be found at this link: [The Southern Ute Drum | Notice of Proposed Amendments to Title 5 – Criminal Code & Request for Comments \(sudrum.com\)](https://www.sudrum.com). Please use the contact numbers at the end of this notice to obtain a hard copy of the proposed Criminal Code amendments or to submit comments.

The Criminal Code amendments were developed by a committee including the Justice & Regulatory and Legal Departments and the Tribal Court. The Criminal Code is Title 5 in the Southern Ute Indian Tribe Law and Order Code.

Summary of the proposed amendments:

- 1. History of Amendments** - In 1980, Tribal Council codified the current Criminal Code. Since then, various amendments have been adopted to particular sections, but Council identified this Code as needing complete revision. In 2018, a complete revised Criminal Code was provided for public comments. In 2019, the BIA recommended disapproval of the marijuana provisions. Following BIA's comments, the revision process was delayed due to the COVID pandemic and resumed in 2021. Because this version incorporates additional substantive revisions, the fully revised Code is now being re-issued for additional public comment.
- 2. Criminal Penalty Schedule** – Offenses have been classified 1 through 6, with 1 being the most serious, and respective fine and jail penalties assigned to those classes. The Criminal Penalty Schedule is a separate document that will be published online with the Criminal Code.
- 3. New Provisions** – New provisions to address marijuana possession amounts consistent with Colorado amounts, shoplifting, retaliation against witness or victim, unlawful sexual contact, trespass, among others have been added.

Public Comments:

The Tribal Council requests that all Tribal Members review the entire code and provide comments no later than June 5, 2023 to the Legal Department at:

Email: lbarnhart@southernute-nsn.gov or jwash@southernute-nsn.gov

Mail: Leslie Barnhart, Legal Department, Southern Ute Indian Tribe, P.O. Box 737, Ignacio, Colorado, 81137.

Hand delivery: Legal Department, Leonard C. Burch Tribal Administration Building, Ignacio, Colorado, 81137.

Phone: (970) 563-2144

Website: Criminal Code amendments - [Title-5-Criminal-Code-Proposed-for-Public-Comment-1May2023.pdf \(sudrum.com\)](#)

Criminal Penalty Schedule - <https://www.sudrum.com/wp-content/uploads/2023/05/Criminal-Penalty-Schedule-Proposed-for-Public-Comment.pdf>

For further information please contact: Leslie Barnhart, Legal Department, Southern Ute Indian Tribe, P.O. Box 737, Ignacio, Colorado, 81137; telephone (970) 563-2144; email: lbarnhart@southernute-nsn.gov