

**THE GTB TRIBAL COURT
SURVIVOR LIAISON / PROGRAM
DIRECTOR MAY ASSIST:**

Victim/Survivors who are involved with a case being prosecuted in GTB Tribal Court, and the crime must be a crime listed below.

- ◇ Violation of Protection Orders
- ◇ Intimate Partner Violence
- ◇ Sexual Assault
- ◇ Stalking
- ◇ Sex Trafficking

**SERVICES PROVIDED INCLUDE
BUT ARE NOT LIMITED TO:**

- Support victims and explain available legal options.
- Provide home visits when necessary.
- Refer survivors to social services both inside and outside the Tribe.
- Inform victims of their rights under the law.
- Assist victims in filling out personal protection orders.
- Transportation to and from GTB Tribal Court when available.

OTHER IMPORTANT NUMBERS

GTB Tribal Victim Assistance Director

Jackie Barnowski

(231) 534-7525

Grand Traverse Band Tribal Court

(231) 534-7050

Grand Traverse Band Legal Department

(231) 534-7601

GTB Behavioral Health Services

(231) 534-7090

GTB Human Services

(231) 534-7910

Anishinaabek Family Services (AFS)

(231) 499-5162

Grand Traverse Women's Resource Center

(231) 941-1210

**Grand Traverse Band of
Ottawa & Chippewa
Indians**

*Grants to Indian Tribal
Governments Program*



**Yvette R. Weese,
Tribal Court Survivor Liaison
(231) 534-7381**

**2605 N. West Bay Shore Drive
Peshawbestown, MI. 49682
1-866-534-7750**

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GTB VICTIM RIGHTS ORDINANCE

(PASSED 5/21/2019)

§501- Definitions

- Crime Victim means a person directly and proximately harmed as a result of the commission of an offense under the laws of the Grand Traverse Band. In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victims' estate, family members, or any other persons appointed as suitable by the court, may assume the crime victim's rights under this chapter, but in no event shall the defendant be named as such guardian or representative.

§502- Rights of Crime Victims:

- The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.
- The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determined that testimony by the victim would be materially altered if the victim heard other testimony at the hearing.
- The right to be informed of the rights under this section and any services offered by GTB.
- The right to full and timely restitution as provided by law.

GTB VICTIM RIGHTS ORDINANCE

(CONTINUED)

- The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.
- The reasonable right to confer with the attorney for the government in the case.
- The right to proceedings free from unreasonable delay.
- The right to be treated with fairness and with respect for the victim's dignity and privacy.
- The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.
- The right to be reasonably protected from the accused.

(GTB Tribal Code, TITLE 9, CHAPTER 5)

CRIMINAL CASE IN TRIBAL COURT

Types of Hearings

Arraignment. The first hearing a defendant will have is an arraignment. This is where the conditions and amount of bond are set if the Judge releases the defendant.

Pre-Trial. Before an actual Trial is scheduled there are motion hearings to determine whether evidence will be admitted or excluded at trial, or whether there is a legal reason why the defendant should not be tried.

CRIMINAL CASE IN TRIBAL COURT

(Continued)

The prosecutor and defense attorney may meet to determine whether the defendant will plead guilty to the crime charged or some other offense.

Trial. The defendant will be tried whether by a judge or a jury. During the trial, the judge or jury will determine whether the defendant is guilty or innocent of the crime charged or that they are guilty of some lesser offense. A trial is an adversary proceeding; the prosecution must present evidence beyond a reasonable doubt. The prosecutor must call all witnesses to the crime. The defendant is neither required to prove his or her innocence, nor to present any evidence.

Sentencing. If the defendant is found guilty of a crime, the judge will set a date for sentencing. The time between conviction and sentencing is used to prepare a presentence investigation report. The report is prepared by a probation officer. At the time of sentencing, the judge will consider the information in the report before deciding upon a sentence. The judge will also consider the sentencing guidelines as a reference for imposing an appropriate sentence. Determination of the sentence is the judge's sole responsibility, although some convictions carry a legally mandated minimum sentence. The judge may consider different alternatives, such as giving defendant a fine, probation, community service, restitution, a sentence to jail or prison, or a combination.