



MAR 25 2002

David A. Wolff, General Counsel  
Fort Mojave Indian Tribe  
Legal Department - Suite 105  
8490 South Highway 95  
Mohave Valley, Arizona 86440

RE: Approval of Amendment to the Fort Mojave Indian Tribe's Tribal Gaming Ordinance

Dear Mr. Wolff:

This letter responds to your request to the National Indian Gaming Commission (NIGC) for the review and approval of the amendment to the Fort Mojave Indian Tribe's (Tribe) tribal gaming ordinance submitted on December 13, 2001, to the NIGC Region Chief in Phoenix, Arizona. The amendment to the ordinance was adopted by the Tribe by Resolution No. 2000-21 on March 11, 2000, and was not submitted to the NIGC for its approval until now. This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA

For future reference, please note that pursuant to 25 C.F.R. § 522.3, a tribe must submit its amendments to an ordinance or resolution to the Chairman of the NIGC, within 15 days of adoption by the appropriate tribal authority.

Thank you for submitting the amendment to the tribal gaming ordinance of the Tribe for review and approval. The NIGC staff and I look forward to working with you and the Community in implementing the IGRA. If you have questions or require further assistance, please contact Ms. Frances Fragua at 202/632-7003.

Sincerely yours,

A handwritten signature in black ink that reads "Montie R. Deer". The signature is written in a cursive style.

Montie R. Deer  
Chairman

**RESOLUTION**

**FORT MOJAVE TRIBE OF THE FORT MOJAVE  
RESERVATION OF  
ARIZONA, CALIFORNIA AND NEVADA**

FEB 25 2002

**WHEREAS, the Fort Mojave Indian Tribe ("Tribe") is organized pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. §476) and possesses attributes of sovereignty over both its members and its territory; and**

**WHEREAS, in accordance with its Constitution and Bylaws, the Tribe is governed by the Fort Mojave Tribal Council; and**

**WHEREAS, the Tribal Council, on or about February 15, 1994, adopted as Tribal law the Fort Mojave Indian Tribe Gaming Ordinance (As Amended, 1994) ("Gaming Ordinance"); and**

**WHEREAS, the Tribe, on or about August 26, 1993, entered into a Class III Gaming Compact ("Compact") with the State of Arizona pursuant to the terms of the Indian Gaming Regulatory Act, 25 U.S.C. §§ 2701 et.seq.; and**

**WHEREAS, Section 6(a)(3) of the Compact states that the Gaming Ordinance shall provide for the detention of persons who may be involved in illegal acts for the purpose of notifying appropriate law enforcement authorities; and**

**WHEREAS, the Tribal Council desires to further amend the Gaming Ordinance to add a new Paragraph C. to Section 7 ("Gaming Facilities") so as to provide for the detention of persons who may be involved in illegal acts for the purpose of notifying appropriate law enforcement authorities.**

**NOW, THEREFORE, BE IT RESOLVED, that the Fort Mojave Tribal Council hereby amends the Fort Mojave Indian Tribe Gaming Ordinance (As Amended, 1994) to add a new Paragraph C. to Section 7 ("Gaming Facilities") to read in its entirety as follows:**

**C. Any operator of a Gaming Facility, or the operator's officers, employees or agents, who has reasonable cause to believe that an illegal act has been committed within the operator's Gaming Facility and/or upon the premises of the**

operator's Gaming Facility by any person may take that person into custody and detain him or her in the Gaming Facility and/or upon the premises of the Gaming Facility in a reasonable manner, for a reasonable length of time, solely for the purpose of notifying appropriate law enforcement authorities. Such taking into custody and detention shall not render the Gaming Facility operator, or the operator's officers, employees or agents, criminally or civilly liable for false arrest, false imprisonment, slander or unlawful detention unless it is established by clear and convincing evidence that such taking into custody and detention are unreasonable under all the circumstances; provided that, the foregoing is not intended, and shall not be construed, to abrogate or waive any other provision of law or immunity which may be asserted by the Gaming Facility operator, or the operator's officers, employees or agents, as a bar or defense to the commencement or prosecution of any such action. There shall be displayed in a conspicuous place in all Gaming Facilities a notice in substantially the following form: "Any operator of a Gaming Facility, or the operator's officers, employees or agents, who have reasonable cause for believing that an illegal act has been committed within the operator's Gaming Facility and/or upon the premises of the operator's Gaming Facility by any person may detain such person in the Gaming Facility and/or upon the premises of the Gaming Facility for the purpose of notifying law enforcement authorities."

**BE IT FURTHER RESOLVED**, that the foregoing amendment to the Fort Mojave Indian Tribe Gaming Ordinance (As Amended, 1994) shall become effective upon approval by the Chairman of the National Indian Gaming Commission in accordance with the Indian Gaming Regulatory Act, 25 U.S.C. §§ 2701 et.seq.

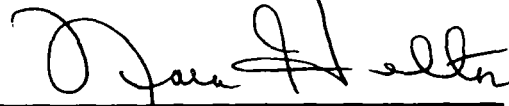
**BE IT FURTHER RESOLVED**, that the Chairperson of the Fort Mojave Tribal Council is authorized to take any and all actions necessary to implement this Resolution.

#### **CERTIFICATION**

We, the undersigned, as Chairperson and Secretary of the Fort Mojave Tribal Council, governing body of the Fort Mojave Indian Tribe, do hereby certify that the Fort Mojave Tribal Council is composed of seven (7) members of whom four (4)

constituting a quorum were present at a meeting duly held on March 11, 2000,  
and that the foregoing Resolution was adopted by the affirmative vote of 4  
members for and 0 members against.

**FORT MOJAVE TRIBAL COUNCIL**



**Nora Helton, Chairperson**



**Elroy Jackson, Secretary**