



**HO-CHUNK NATION CODE (HCC)
TITLE 3 – HEALTH AND SAFETY CODE
SECTION 21 – HARASSMENT ORDINANCE**

ENACTED BY LEGISLATURE: August 22, 2017

CITE AS: 3 HCC § 21

1. Authority.

(a) Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes.

(b) Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation.

(c) Article V, Section 2(t) of the Constitution grants the Legislature the power to enact laws governing law enforcement on lands within the jurisdiction of the Nation.

2. Definitions.

(a) **Course of Conduct:** A pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

3. Harassment.

(a) Whoever with intent to harass or intimidate another person on HCN Lands does any of the following is in violation of this section:

(i) Strikes, shoves, kicks, or otherwise subjects the person to physical contact or attempts to threaten to do the same.

(ii) Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person.

4. Penalty.

(a) This ordinance shall be enforced by the Ho-Chunk Nation Police Department and the Ho-Chunk Nation Department of Justice and shall be subject to 2 HCC §14 Ho-Chunk Nation Statute of Limitations and Commencement of Claims Act.

(b) Whoever has been found to violate any provision of this ordinance shall be made to forfeit \$500 plus costs of prosecution for each offence and cost of restitution.

Legislative History:

- 05/23/17 Legislature places the draft Harassment Ordinance out for 45 day public comment through Resolution 05-23-17L.
- 08/22/17 Legislature enacts the Harassment Ordinance (3 HCC § 16) through Resolution 08-22-17E.
- 01/08/24 Pursuant to the Legislative Organization Act, 2 HCC § 11.46c, technical corrections, including numbering for any laws may be made without full Legislative approval, provided the Vice President and Legislative Counsel shall indicate their approval in writing. During the last major website overhaul, some of the Nation’s laws were not transferred properly, leading to an errant renumbering of some of the Nation’s laws. When the Curfew Ordinance was enacted via quick passage on April 21, 2020, it was errantly numbered 3 HCC § 16, and has been on the website as such since then. The Harassment Ordinance was never revoked, but was never placed back on the website during the website overhaul and lost its Section number within Title 3, the Health and Safety Code, due to this technical numbering error. As such, the Harassment Ordinance will now be numbered 3 HCC § 21.