

## CHAPTER 13

### BANISHMENT

#### §6-A Scheduled Drugs Member

Any adult member of the Penobscot Nation convicted of sale, or providing scheduled drugs as described in Tribal Law, Title 17 and 17A, as amended, shall appear before the Chief and Council wherein a factual review and determination of such charges will provide for the potential forfeiture of all rights as a member. Such loss may be for ninety (90) days including banishment for that period from Tribal lands for the first offense, six (6) months loss of all rights including banishment from Tribal lands for that period for a second offense, and a term of no less than one(1) year but not to exceed ten (10) years from the third offense. In the event of either permanent disability or loss of life involving another tribal member, the Chief and Council may impose a term not to exceed ten (10) years or for the lifetime of the individual, respectively.

#### §6-A-1 Sex Offenders

Any member of the Penobscot Nation convicted of a sex offense or a sexually violent offense as defined in Section 11203 of Title 34-A of the Maine Revised Statutes Annotated, as such law may be amended from time to time, shall appear before the Chief and Council wherein a factual review and determination of such charges will provide for the potential forfeiture of all rights as a member and banishment. Such loss of membership rights and banishment shall be for such a period, as the Chief and Council deem appropriate; provided, however, Chief and Council shall banish a member for at least six months for any conviction of a minor sex offense. For those offenses considered more severe including a sexually violent offense, Chief and Council shall banish the member for life.

#### §6-B Banishment

Loss of rights and banishment shall be carried out by the Tribal Council of the Penobscot Nation.