

PRAIRIE BAND POTAWATOMI NATION DISTRICT COURT

Prairie Band Potawatomi Nation Reservation
11444 158th Road, Mayetta, Kansas 66509

ADMINISTRATIVE ORDER 2025-001

Approving Expungement of Certain Criminal Records

Per Prairie Band Potawatomi Nation Section 5-5-40 (Dangerous Drug Offense)

WHEREAS, Section 2-2-6(B)(1) of the Prairie Band Potawatomi Nation Law and Order Code vests authority in the Tribal District Court to “Be responsible for creating and maintaining the regulations and rules of the Court, not conflicting with the Tribal Codes for the orderly and efficient administration of justice. Such rules must be filed in the office of the Court Clerk before becoming effective.”

WHEREAS, Section 5-5-40(H) of the Prairie Band Potawatomi Nation Law and Order Code states that the Prairie Band Potawatomi Nation District Court is ordered to expunge the criminal record of Defendants previously convicted of an offense no longer criminal under section (F) of Chapter 15-5-40 by July 1, 2024.

WHEREAS, Section (F) of Chapter 15-5-40 states that notwithstanding provisions of this Chapter, for any person who is 21 years of age or older, the legal possession limit is as follows:

- (1) Eighty-five (85) grams or less of dried, unprocessed marijuana, or its equivalent;
or
- (2) An amount exceeding that allowed by this section if validly prescribed for medical treatment in the case of patients under the care of a licensed Doctor of Medicine.


For the purposes of this section, “Marijuana” means Cannabis indica, Cannabis saliva, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as the resin extracted from the marijuana plant and marijuana-infused products. “Marijuana” does not include industrial hemp, as defined by Title 31, or commodities or products manufactured from industrial hemp.

WHEREAS, pursuant to this authority above, the Tribal District Court hereby establishes an Administrative Order Approving the Expungement of Certain Criminal Records Per Prairie Band Potawatomi Nation Section 5-5-40 (Dangerous Drug Offense).

ORDER

1. Pursuant to this authority above, the Tribal District Court and its Clerk of Court's staff shall expunge all records and files related to the arrest, citation, investigation, charge, adjudication of guilt, criminal proceedings, and probation related to the sentence for certain marijuana offenses no longer criminal under Section (F) of Chapter 15-5-40.
2. The Court shall provide notice of the expungement to the person who is the subject of the record at the person's last known address, the arresting agency, Tribal Prosecutor, and any other entity that may have a record related to the order to expunge.
3. This Administrative Order will remain in effect until otherwise directed by the further rules of the Tribal District Court or until amended by the Prairie Band Potawatomi Nation Law and Order Codes.

Approved this January 27, 2025, *nunc pro tunc* to July 1, 2024.



Jessica R. Bear
Judge of the Tribal District Court