



CHAPTER 1E
ARTICLE 2 - TRIBAL LAW ENFORCEMENT AUTHORITY

N.C.G.S. § 1E-12.

Qualification of law enforcement officers;
limitations of authority.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 04:15 UTC	b2c28a7db207958b28df1a07 - 58f692bdbae3ec9f306050d0 - 5deb34bb4dcb3497

§ 1E-12(a) For purposes of this section, "law enforcement officer" means any person appointed or employed as (i) Chief of Police of the Cherokee Police Department, Chief of the Cherokee Marshals Service, Chief of the Tribal Alcohol Law Enforcement Division of the Eastern Band of the Cherokee Indians, or Chief of the Natural Resources Enforcement Agency of the Eastern Band of the Cherokee Indians, (ii) a police officer, auxiliary police officer, marshal, alcohol law enforcement agent, reserve alcohol law enforcement agent, or resources officer with the Cherokee Police Department, the Cherokee Marshals Service, the Tribal Alcohol Law Enforcement Division of the Eastern Band of the Cherokee Indians, or the Natural Resources Enforcement Agency of the Eastern Band of the Cherokee Indians, (iii) the Chief of the Catawba Indian Nation Tribal Police Department, or (iv) a police officer, marshal, auxiliary police, or resources officer with the Catawba Indian Nation Tribal Police Department or Catawba Indian Nation Marshals Service.

§ 1E-12(b) A law enforcement officer shall, prior to the exercise of the officer's authority pursuant to Article 13 of Chapter 160A of the General Statutes, comply with the provisions of Article 1 of Chapter 17C of the General Statutes and any rules or regulations adopted pursuant to the authority of Article 1 of Chapter 17C of the General Statutes. The courts of this State shall have the jurisdiction pursuant to G.S. 17C-11 to enjoin the Cherokee Police Department, the Cherokee Marshals Service, the Tribal Alcohol Law Enforcement Division of the Eastern Band of Cherokee Indians, the Natural Resources Enforcement Agency of the Eastern Band of the Cherokee Indians, the Catawba Indian Nation Tribal Police Department, Marshals of the Catawba Indian Nation, or any law

enforcement officer or agent employed or appointed by the department, agency, or division from exercising any or all of the authority under color of State law conferred by Article 13 of Chapter 160A of the General Statutes if any law enforcement officer or agent of the department, agency, or division fails to meet the required standards established pursuant to Article 1 of Chapter 17C of the General Statutes.

§ 1E-12(c)

The jurisdiction of a Cherokee law enforcement officer shall be (i) on all property owned by or leased to the Eastern Band of Cherokee Indians located within the trust lands of the Eastern Band of the Cherokee Indians and (ii) during the immediate and continuous flight of an offender in accordance with G.S. 15A-402(d). The jurisdiction of a Catawba law enforcement officer shall be (i) on all property owned by or leased to the Catawba Indian Nation located within the trust lands of the Catawba Indian Nation and (ii) during the immediate and continuous flight of an offender in accordance with G.S. 15A-402(d). Neither Eastern Band of Cherokee Indians nor Catawba Indian Nation law enforcement officers shall have jurisdiction on the other's land absent separate agreement of the tribes.

§ 1E-12(d)

Service as a law enforcement officer shall constitute service as (i) a "criminal justice officer" as defined in G.S. 17C-2(c) and (ii) a "law enforcement officer" for purposes of Article 12E of Chapter 143 of the General Statutes. For purposes of Article 12E of Chapter 143 of the General Statutes, the term "employer," as defined in G.S. 143-166.50, shall be construed to include the Eastern Band of Cherokee Indians and Catawba Indian Nation with respect to law enforcement officers.

§ 1E-12(e)

A law enforcement officer may be enjoined from exercising his authority under color of State law pursuant to Article 13 of Chapter 160A of the General Statutes for the reasons set forth in G.S. 128-16 and pursuant to the provisions of Article 2 of Chapter 128 of the General Statutes.

§ 1E-12(f)

Nothing contained in this Chapter or in Article 13 of Chapter 160A of the General Statutes shall be construed as doing any of the following:

- (1) Limiting or revoking the authority of the Eastern Band of Cherokee Indians, the Cherokee Police Department, the Cherokee Marshals Service, the Tribal Alcohol Law Enforcement Division of the Eastern Band of the Cherokee Indians, the Natural Resources Enforcement Agency of the Eastern Band of the Cherokee Indians, or any law enforcement officers or other persons appointed or employed by those entities, in the exercise of their inherent powers of self-government, or exercise of authority conferred by federal law, regulation, or common law.
- (1a) Limiting or revoking the authority of the Catawba Indian Nation, the Catawba Indian Nation Tribal Police Department, Catawba Indian Nation Marshals Service, or a police officer, auxiliary police, or resources officer with the Catawba Indian Nation Tribal Police Department or any of the Catawba Nation Tribal Police Department, or any law enforcement officers or other persons appointed or employed by those entities, in the exercise of their inherent powers of self-government, or exercise of authority conferred by federal law, regulation, or common law.
- (2) Modifying, either by way of enlargement or limitation, the jurisdiction of the Cherokee Tribal Courts.
- (3) Waiving any sovereign immunity that may otherwise apply.

§ 1E-12(g)

Nothing contained in this Chapter shall be construed as modifying, either by way of enlargement or limitation, the jurisdiction or authority of any federal, State, or local law enforcement agency, governmental entity, or any of their officers or employees, except the Eastern Band of Cherokee Indians, the Catawba Indian Nation, the Cherokee Police Department, the Catawba Indian Nation Tribal Police Department, the Cherokee Marshals Service, the Marshals of the Catawba Indian Nation, the Tribal Alcohol Law Enforcement Division of the Eastern Band of the Cherokee Indians, the Natural Resources Enforcement Agency of the Eastern Band of the Cherokee Indians, and their law enforcement officers, agents, and employees to the extent set forth in this Chapter. (2015-287, s. 1; 2025-57, s. 1.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 17C-11	(b)	<i>"shall have the jurisdiction pursuant to"</i>
G.S. 15A-402(d)	(c)	<i>"of an offender in accordance with"</i>
G.S. 17C-2(c) and (ii)	(d)	<i>""criminal justice officer" as defined in"</i>
G.S. 143-166.50	(d)	<i>"the term "employer," as defined in"</i>
G.S. 128-16	(e)	<i>"for the reasons set forth in"</i>

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 1E-12 (2026).

PINPOINT
N.C. Gen. Stat. § 1E-12(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

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