

FULL FAITH AND CREDIT SCENARIO

Mandy got a Protection Order against Brutus in the San Manuel Tribal Court in January 2012. Mandy is a member of the Morongo Band of Mission Indians. Brutus is a non-Indian.

After getting the Protection Order, Mandy moved back to the Morongo Reservation. Brutus followed her onto the Reservation. The Protection Order contained the following language: Brutus shall have no contact with Mandy; he shall not come within 100 yards of Mandy; this Protection Order shall last for the life of Mandy; and, pursuant to the laws of the San Manuel Tribal Code, this Protection Order may only be enforced civilly.

Morongo Tribal law says a Protection Order is only valid for a two-year period and cannot be extended. Morongo also only has criminal prosecution for violations of Protection Orders. They have no civil contempt or other enforcement mechanisms.

Brutus keeps calling Mandy. He has also followed her into stores on the Morongo Reservation.

QUESTIONS:

1. Can Morongo enforce this order now that is December 2014?
2. Can Morongo criminally enforce this order?
3. Based upon these facts, are there any federal crimes that Brutus may have committed?
4. Assume Mandy and Brutus have a 10 year old child. The Order only reads as above. If Brutus contacts the child, is it a violation for Tribal criminal prosecution purposes?