

# **TITLE 8: TRIBAL POLICE CODE**

## **CHAPTER 1 Authority Over Police Function**

### **§8.1.01 Tribal Council**

The Tribal Council shall have ultimate responsibility for and command over the Tribal Police. The Tribal Council may appoint any of its members to be responsible for Tribal Police business and such members shall keep themselves informed regarding Tribal police matters and report thereon to the Council. The Council shall appoint a Chief of Police upon such terms and conditions of employment as they shall direct. The Chief of Police with the concurrence of the Tribal Council shall establish such ranks and appoint officers thereto within the Tribal police as are deemed necessary.

## **CHAPTER 2 Chief of Police**

### **§ 8.2.01 Duties**

The duties of the Chief of Police shall be as follows:

- (a) To be responsible for and have charge over all Tribal police functions on the Reservation;
- (b) To be in command of all Tribal law enforcement officers and employees;
- (c) To instruct, train and advise Tribal police officers in the functions, duties and responsibilities of police officers for the efficient maintenance of law and order on the Reservation;
- (d) To report to the Council on police activities;
- (e) To recommend to the Council persons for appointment to and dismissal from the Tribal police force;
- (f) To provide policemen to the Tribal Courts to perform bailiff service, transportation of prisoners, and service of Court papers;

- (g) To adopt reasonable regulations for police officers to serve as a standard of conduct to insure the efficient maintenance of law and order.
- (h) To insure cooperation with other law enforcement agencies;
- (i) To do such other law enforcement related activities as the Council shall direct;
- (j) To designate an acting Chief of Police to serve as Chief of Police in his absence.

## **CHAPTER 3**

### **Tribal Police Officers**

#### **§8.3.01 Appointment**

Tribal police officers shall be hired upon such terms and conditions of employment as the Council shall direct. The Council shall receive the recommendation of the Chief of Police prior to hiring anyone to be a police officer.

#### **§ 8.3.02 Qualifications**

The qualifications of Tribal police officers shall be as follows:

- (a) The individual must be in sound physical and mental condition and of sufficient size and strength to perform the required duties;
- (b) He must be willing and able to attend police officer training courses as a condition to his hiring and continued employment;
- (c) He must be of high moral character and have never been convicted of a felony or Class A offense or convicted of any other offense within one year prior to appointment;
- (d) Preference in hiring shall be given to high school graduates in situations where qualifications are otherwise similar.

### **§8.3.03 Duties**

The duties of a police officer shall be:

- (a) To obey promptly all orders of the Chief of Police, ranking police officers or a judge of the Tribal Court when assigned to Court duty;
- (b) To report and investigate all violations of any law or regulation coming to his attention;
- (c) To arrest all persons for violations of the laws and regulations when there exists sufficient grounds for doing so;
- (d) To lend assistance to other officers;
- (e) To prevent, whenever possible, violations of the laws;
- (f) To inform himself as to the Tribal Law and Order Code and all other laws and regulations applicable to the Reservation, and to attend such training sessions as the Council or Chief of Police may direct;
- (g) To become familiar with and practice at all times principles of good police procedure;
- (h) To use no unnecessary force or violence in making an arrest, search or seizure;
- (i) To abstain from the use of narcotics or excessive use of alcohol and to refrain from engaging in any act which would reflect discredit on the Tribe or the Tribal police;
- (j) To refrain from the use of profane, vulgar, insolent or offensive language;
- (k) To report to his superior officers all deaths or accidents of a serious nature or other events or impending events of importance;
- (l) To keep all equipment furnished by the Tribe or the government in good repair and order and to immediately report the loss of any or all of such property;
- (m) To obey all regulations which the Chief of Police shall adopt.

### **§ 8.3.04 Dismissal of Police**

A policeman shall be suspended or dismissed for noncompliance with the provisions of this Code or other violations of regulations or neglect of duty.

### **§ 8.3.05 Deputizing**

Tribal police may be authorized by another jurisdiction to aid in the effective law enforcement on the Reservation. Law enforcement officers and other law enforcement or security related personnel from other jurisdictions or other departments or enterprises of the Tribe may be deputized to aid in the enforcement of this Law and Order Code.

### **§8.3.06 Police Training**

It shall be the goal of the Tribal police to attract and retain experienced, professional police personnel. To this end, the Council and the Chief of Police shall establish minimum standards of training which all police officers will be encouraged to meet. Further, the Chief of Police shall explore, schedule and arrange periodic training and retraining programs for Tribal police officers from all available sources. Such programs shall stress not only basic police procedures and techniques, but shall also deal with crime prevention, community and public relations, and other appropriate topics.