

RESOLUTION OF THE  
LAW AND ORDER COMMITTEE OF  
THE NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL—Second Year, 2016

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE; APPROVING THE SEX OFFENDER  
REGISTRATION PROGRAM UNIT PLAN OF OPERATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such LOC has oversight over law enforcement to enhance the operations and coordination of all departments within the Navajo Division of Public Safety in order to increase the availability, quality, and effectiveness of public safety services on the Navajo Nation. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (B)(14) (2015); CO-45-12.
- B. The LOC is empowered with the authority to approve plans of operation for all divisions, departments and programs under LOC's authority and to amend or rescind such plans of operations. 2 N.N.C. § 601(B)(4).
- C. The LOC has oversight over the Navajo Nation Division of Public Safety. 2 N.N.C. § 601(C)(1).

SECTION TWO. FINDINGS

- A. Diné Traditional Law declares and teaches that the Legislative Branch leaders shall enact policies and laws to address the immediate and future needs of the Navajo Nation. 1 N.N.C. § 203(C) (2009).
- B. Diné Customary law declares and teaches that it is the right and freedom of the people that every child and every leader be respected, honored, and protected with a healthy

physical and mental environment, free from all abuse. 1  
N.N.C. § 204(E) (2009).

- C. The establishment of the Sex Offender Registration and Notification Unit (SORNA Unit) within the Navajo Nation Division of Public Safety (NDPS) under the supervision of the Chief of Police of the Navajo Police Department (NPD). See Exhibit A (SORNA Unit Plan of Operation).
- D. The purpose of the SORNA Unit is to protect the public on the Navajo Nation from convicted sex offenders by ensuring that all convicted sex offenders who live, work or attend school on the Navajo Nation are registered with NPD and by notifying communities that sex offenders are living in their communities. *Id.*
- E. The SORNA Unit will also notify and collaborate with law enforcement agencies relating to sex offender status and information. *Id.*
- F. The SORNA Unit is currently operating in all seven Navajo Police Department Districts and has registered 550 sex offenders and will operate within the Navajo Police department as a district unit. See Exhibit B (Organization Chart).
- G. The Division of Public Safety, Executive Director, supports the SORNA Unit as a priority program for NDPS. See Exhibit C (Memorandum to LOC, July 7, 2016).
- H. The Sex Offender Registration statute was last revised in 2016 and the Standard Operating Procedure was adopted in 2012. *Id.*
- I. The Plan of Operation approval would allow the Unit to effectively administer the Navajo Nation's Sex Offender Registration Program. *Id.*
- J. The Navajo Nation finds it is in the best interest of the Navajo People to approve the Sex Offender and Notification Unit Plan of Operation.

SECTION THREE. APPROVING THE SEX OFFENDER AND NOTIFICATION UNIT  
PLAN OF OPERATION

The Navajo Nation hereby approves the amended Plan of  
Operation for the Sex Offender Registration and  
Notification Unit attached as Exhibit "A."

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly  
considered by the Law and Order Committee of the Navajo Nation  
Council at duly called meeting at Window Rock, Navajo Nation  
(Arizona), at which a quorum was present and that the same was  
passed by a vote of 4 in favor and 0 opposed, this 28<sup>th</sup> day of  
July, 2016.

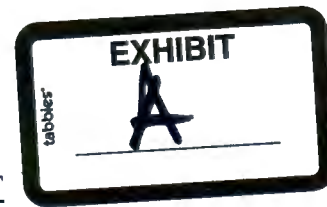


Honorable Edmund Yazzie, Chairperson  
Law and Order Committee

Motion: Honorable Herman M. Daniels

Second: Honorable Otto Tso

**SEX OFFENDER REGISTRATION AND NOTIFICATION UNIT**  
**PLAN OF OPERATION**



**I. ESTABLISHMENT**

There is hereby established the Sex Offender Registration and Notification Unit ("SORNA Unit") within the Navajo Police Department, Navajo Division of Public Safety. The Chief of Police of the Navajo Police Department ("NPD") shall directly supervise the SORNA Unit, see Exhibit "B".

**II. PURPOSE AND OBJECTIVES**

The purpose of the SORNA Unit is to protect the public on the Navajo Nation from convicted sex offenders by ensuring that all convicted sex offenders who live, work or attend school on the Navajo Nation are registered with NPD and by notifying communities that sex offenders are living in their communities. The SORNA Unit will also notify and collaborate with law enforcement agencies relating to sex offender status and information.

**III. STAFFING AND ORGANIZATION**

**A. Staffing**

1. The Police Officers who staff the SORNA Unit shall be commissioned officers who are trained to register convicted sex offenders, and they will be identified as Sex Offender Registrars ("Registrars").
2. The Registrars will be designated to work full time in the SORNA Unit five days a week.
3. NPD will designate two (2) Registrars per police district.
4. The Chief of Police will formalize the appointment and authority of the Team Leader, a SORNA Unit member, by memorandum.
5. Registrars shall participate in training that will provide current knowledge of updated regulations and procedures related to registering sex offenders and to maintaining effective exchange of sex offender information with other law enforcement agencies through telecommunications and computer software.

**B. Organization**

1. The SORNA Unit will directly report to and be supervised by the Chief of Police.
2. The SORNA Unit shall be staffed sufficiently to accomplish the purpose and objectives stated herein. The SORNA Unit shall also, through NPD, be authorized to enter into agreements such as agreements to access and transmit electronic data on sex offenders and to request professional and technical assistance such as National Crime Information Center ("NCIC") data verification from federal, state, county and tribal agencies.
3. Because of the need for confidentiality, registration offices shall be located in safe and secure areas in an NPD building.
4. Computers, scanners, printers, cameras, and other equipment purchased by any grants awarded by U.S.D.O.J. for sex offender registration shall be designated for SORNA Unit use only.



5. Automated Fingerprint Identification System ("AFIS") equipment, purchased for SORNA use, will be housed in SORNA Unit offices. AFIS equipment is used to obtain fingerprints of sex offenders who are being registered, and may also be used to capture fingerprints for background checks and employment purposes only for NPD. SORNA Registrars will do all fingerprinting.

#### **IV. AUTHORITY AND RESPONSIBILITIES**

##### **A. Responsibilities of the SORNA Unit**

1. Will identify, locate, and register convicted sex offenders.
2. Will monitor the registration status of convicted sex offenders.
3. Will conduct periodic address verifications of convicted sex offenders.
4. Will timely share sex offender data with other law enforcement agencies, corrections facilities, and probation and judicial offices.
5. Will collaborate with other law enforcement agencies to ensure compliance with registration requirements of convicted sex offenders.
6. Will notify communities of convicted sex offenders who live, work, and attend school in communities on the Navajo Nation.
7. Will conduct presentations about sex offender registration to communities on the Navajo Nation.

##### **B. Responsibilities of the Chief of Police**

1. Will ensure cooperation and coordination between the SORNA Unit and NPD.
2. Will monitor fiscal matters and develop an annual budget for the SORNA Unit.
3. Will support the Standard Operating Procedures of the SORNA Unit and the training requirements of the Registrars.
4. Will directly communicate with the Team Leader about SORNA-related needs and concerns.

##### **C. Responsibilities of the Team Leader**

1. Will ensure collaboration and cooperation of all Registrars to timely and efficiently implement the sex offender registration and notification program.
2. Will submit monthly reports to the Chief of Police.
3. Will maintain the TTSORS<sup>1</sup> administrative site.
4. Will submit quarterly reports for grants as required.
5. Will schedule SORNA meetings and set meeting agendas.
6. Will coordinate matters relating to computer technology needs and issues with the Chief of Police and the Information Management Section of NPD.
7. Will monitor training opportunities for Registrars at the local, regional, and national levels and timely notify Registrars of these opportunities.
8. Will ensure all Registrars are current with their SORNA training.

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<sup>1</sup> TTSORS, the Tribe and Territory Sex Offender Registry System, is a software system that is made available by U.S.D.O.J. for all Indian tribes and U.S. territories that register sex offenders. Sex offender registration information is entered into TTSORS, and it also makes available a website that the public can access for sex offender information.

D. Responsibilities of the Registrars

1. Will register convicted sex offenders.
2. Will obtain DNA, finger and palm prints, and current photos of each convicted sex offender and the GPS coordinates of each sex offender's residence.
3. Will immediately forward sex offender data to the Arizona Department of Public Safety ("DPS"), the New Mexico DPS, and the Utah DPS so that the sex offender data will be entered into NCIC and NSOR (National Sex Offender Registry).
4. Will continually monitor TTSORS and the exchange portal to maintain current and updated information on the registration status and location of convicted sex offenders.
5. Will periodically verify the addresses of convicted sex offenders.
6. Will identify convicted sex offenders who fail to register or who abscond.
7. Will immediately contact prosecutors to obtain arrest warrants for apprehension of sex offenders who have failed to register or who have absconded.
8. Will collaborate with other law enforcement agencies, corrections facilities, probation and judicial offices to maintain and update the registration status and location of convicted sex offenders who reside, work, or attend school on the Navajo Nation.
9. Will periodically conduct presentations to communities, schools, and public agencies about the Nation's sex offender registration and notification program.

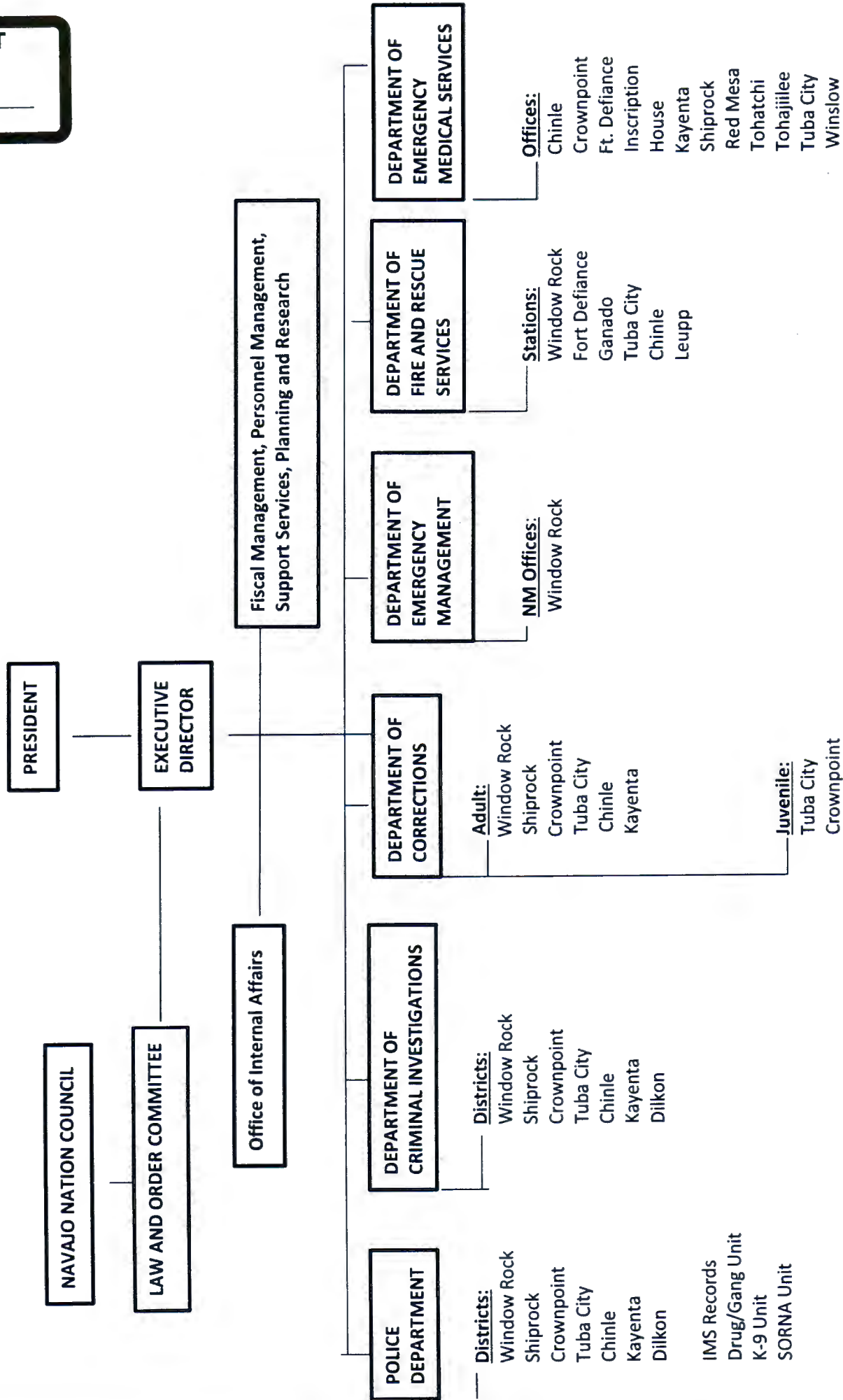
V. LEGISLATIVE OVERSIGHT

The SORNA Unit of the Navajo Police Department, Navajo Division of Public Safety, shall operate under the legislative oversight of the Law and Order Committee of the Navajo Nation Council pursuant to the powers granted that Committee at 2 N.N.C. § 600 *et seq.*

VI. AMENDMENTS

The SORNA Unit Plan of Operation may be amended from time to time by the Law and Order Committee upon recommendation of the SORNA Unit and the Chief of Police, Navajo Police Department.

# NAVAJO DIVISION OF PUBLIC SAFETY Organization Chart





# THE NAVAJO NATION

NAVAJO DIVISION OF PUBLIC SAFETY  
Office of the Division Director

RUSSELL BEGAYE PT  
JONATHAN NEZ VIC



## MEMORANDUM

TO : Law and Order Committee  
Navajo Nation Council

FROM :   
Jesse Delmar, Executive Director  
Navajo Division of Public Safety

DATE : July 7, 2016

SUBJECT : Memorandum of Support for the Proposed SORNA Unit Plan of Operation

The first sex offender registration-related statute was passed by the Navajo Nation Council in 2006. This 2006 statute enabled the formation of a Sex Offender Task Force that drafted legislation to extensively revise the 2006 statute, and the Crownpoint Police District was designated as the pilot district to begin a sex offender registration program.

To date, the Nation's Sex Offender Registration Program is operating in all seven Navajo Police Districts, and sex offender registration officers have registered approximately 550 sex offenders. The Sex Offender Registration statute was revised in 2012, 2014, and 2016. A Standard Operating Procedure was adopted in 2012. The Navajo Division of Public Safety ("NDPS") included the Sex Offender Registration Program as one of the priority programs for NDPS.

As the NDPS Executive Director, I have discussed with SORNA Officers the proposed Plan of Operation to designate this Program as the SORNA Unit. Because the Plan of Operation would empower the Program to more effectively administer the Nation's Sex Offender Registration Program, I wholeheartedly support the Law and Order Committee's approval of a Plan of Operation to designate a SORNA Unit.

cc: Sr. Officer Pamela Hurley, SORNA Team Leader  
Capt. Bobby Etsitty, Designated Police Chief