

RESOLUTION OF THE  
LAW AND ORDER COMMITTEE  
23<sup>RD</sup> NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO LAW AND ORDER; AMENDING PLAN OF OPERATION FOR NAVAJO  
NATION OFFICE OF INTERNAL AFFAIRS

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600 (A).
- B. The Law and Order Committee has oversight over the Department of Public Safety and its programs. 2 N.N.C. § 601(C)(1).
- C. The Law and Committee pursuant to 2 N.N.C. § 601(B)(4) is authorized to approve and amend plans of operation for programs over which it exercises oversight authority.

SECTION TWO. FINDINGS

- A. Navajo Nation Council resolution CAU-50-59 provided and stated the functions of the Navajo Police Department. The functions of the Police Department were subsequently codified as section 1114 of Title 2 of the Navajo Nation Code. *Navajo Tribal Code, 1969 Edition*. Since then, there have been various amendments and enactments of Plans of Operation regarding the Police Department.
- B. Enabling legislation for the Navajo Nation Division of Public Safety was enacted on October 19, 1995 through Navajo Nation Council resolution CO-86-95 (incorporated herein by this reference).
- C. Through standing committee resolution GSCAU-61-95 (passed August 22, 1995), Plans of Operation for the various programs with the Division of Public Safety were approved. Resolution incorporated herein by this reference.
- D. The Navajo Office of Internal Affairs is a program within the Division of Public Safety, and its purposes include conducting administrative investigations. The Plan of Operation for the Office of Internal Affairs must be generally

updated, clarifying duties and responsibilities of the program pursuant to its purposes and objectives.

**SECTION THREE. AMENDING PLAN OF OPERATION FOR NAVAJO OFFICE OF INTERNAL AFFAIRS**

The Navajo Nation hereby amends the Plan of Operation for the Navajo Office of Internal Affairs as follows:

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**PLAN OF OPERATION FOR  
NAVAJO DEPARTMENT OF INTERNAL AFFAIRS**

**I. ESTABLISHMENT**

There is hereby established the Navajo Department of Internal Affairs within the Navajo Division of Public Safety. The Internal Affairs Commander of the Department of Internal Affairs shall be under the direct supervision of the Division Director of the Navajo Division of Public Safety.

**II. PURPOSE AND OBJECTIVES**

The purpose of the Navajo Department of Internal Affairs is to ensure the integrity and the professionalism of the Navajo Division of Public Safety and its employees by establishing procedures for handling personnel matters, complaints, and disciplinary actions. These procedures will assure the prompt and thorough investigation of incidents and if necessary, facilitate a suitable disciplinary action.

**III. STAFFING AND ORGANIZATION**

- A. All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual. The Internal Affairs Commander of the Navajo Department of Internal Affairs shall be selected by the Division Director of the Navajo Division of Public Safety, in accordance with the established Navajo Nation Personnel Policies Manual.

- B. The Navajo Department of Internal Affairs shall be staffed sufficiently to accomplish the purpose and objectives as stated herein. See attachment 1, organizational chart.
- C. The Internal Affairs Commander of the Navajo Department of Internal Affairs shall be authorized to make decisions regarding additional personnel positions, and to request professional and technical assistance from other tribal, federal, state, and county law enforcement agencies, as needed to carry out the organizational purposes and objectives stated herein. Additional positions shall be acquired within applicable rules and policies established for conducting the annual Navajo Nation budget process.

#### IV. AUTHORITY AND RESPONSIBILITY

- A. The responsibilities of the Navajo Department of Internal Affairs shall include, but are not limited to, the following:
  - 1. To safeguard the Internal Affairs Control Log and investigative case files and to permit no access to such Control Log and case files, except by the Division Director of the Navajo Division of Public Safety and the Navajo Nation Attorney General or his/her designee.
  - 2. To ensure the integrity of the Navajo Division of Public Safety is maintained through administrative investigations of complaints and allegations of employees committing criminal offenses or employee misconduct and recommending appropriate disciplinary action.
  - 3. To assist and provide guidance to program managers, command staff, and first-line supervisors regarding internal administrative matters within the Navajo Division of Public Safety.
  - 4. To provide community services within the Territorial jurisdiction of the Navajo Nation in order to enhance the public relations of the Navajo Division of Public Safety and its employees.
  - 5. To provide law enforcement patrol services within the Territorial jurisdiction of the Navajo Nation when necessary.

B. The responsibilities of the Commander of the Navajo Department of Internal Affairs shall include, but are not limited to, the following:

1. To coordinate and oversee the daily operations of the Navajo Department of Internal Affairs.
2. To supervise and monitor Navajo police sergeants selected and assigned to the Internal Affairs Unit by their respective Area Commanders who shall serve on a two-year rotational basis.
3. To supervise, control, and evaluate all administrative investigations within the Navajo Division of Public Safety.
4. To ensure that police sergeants assigned to the Navajo Department of Internal Affairs provide information to the Navajo Department of Justice as requested and provide all admissible evidence, including testimony, at administrative hearings when appropriate.
5. To conduct annual evaluations of staff to determine program effectiveness and make recommendations for staff training and skills development, when appropriate, in order to provide effective and efficient investigative services.
6. To prepare and maintain an annual budget for the Navajo Department of Internal Affairs.
7. To establish an internal Navajo Department of Internal Affairs Standard Operating Procedures Manual.
8. To coordinate and provide guidance to those assigned to conduct administrative investigations at the district or program level within the Navajo Division of Public Safety.
9. To report directly to the Division Director regarding all activities of the Navajo Department of Internal Affairs on a regular basis.
10. To actively seek supplemental funding and negotiate contracts, grants and agreements on behalf of the Navajo

Department of Internal Affairs in compliance with applicable Navajo Nation laws, rules and regulations.

**V. LEGISLATIVE OVERSIGHT**

The Navajo Department of Internal Affairs, Navajo Nation 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 in 2 N.N.C. § 601 et seq.

**VI. AMENDMENTS**

- A. For purposes of maintaining provisions up-to-date, the department shall review its Plan of Operation at least every five years, beginning January 2020. It shall recommend any necessary amendments.
- B. Pursuant to 2 N.N.C. § 601(B)(4), this Plan of Operation may be amended from time to time by the Law and Order Committee of the Navajo Nation Council as deemed appropriate.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 oppose, this 19<sup>th</sup> day of March, 2018.



Honorable Edmund Yazzie, Chairperson  
Law and Order Committee  
of the 23<sup>RD</sup> Navajo Nation Council

Motion: Honorable Otto Tso  
Second: Honorable Raymond Smith, Jr.

NAVAJO DIVISION OF PUBLIC SAFETY  
DEPARTMENT OF INTERNAL AFFAIRS

ORGANIZATIONAL STRUCTURE

