

**RESOLUTION OF THE
LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL - Fourth Year, 2018**

AN ACTION

**RELATING TO LAW AND ORDER COMMITTEE; AMENDING PLAN OF OPERATION
FOR NAVAJO NATION POLICE DEPARTMENT**

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 Order 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 in 1995 was enacted by the Navajo Nation Council through resolution CO-86-95 establishing the Navajo Nation Division of Public Safety as well as the adoption of its Plan of Operation. By the same resolution, the Council acknowledged that Plans of Operation for various programs within the division would be enacted through standing committee. *Id.* Accordingly, 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.

- C. The Navajo Nation Police Department is a program within the Division of Public Safety, and its purposes include providing law enforcement services within the Navajo Nation. Its Plan of Operation was last amended in 2008 through resolution GSCJA-04-08 (incorporated herein by this reference). The Plan of Operation for the Police Department 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 NATION POLICE DEPARTMENT

The Navajo Nation hereby amends the Plan of Operation for the Navajo Nation Police Department as follows:

**NAVAJO POLICE DEPARTMENT
PLAN OF OPERATION**

I. ESTABLISHMENT

There is hereby established the Navajo Police Department within the Navajo Division of Public Safety. The Chief of Police of the Navajo Police Department shall be under the direct supervision of the Executive Director of the Navajo Division of Public Safety.

II. PURPOSE AND OBJECTIVES

The purpose of the Navajo Police Department is to enforce all Navajo Nation laws within the territorial jurisdiction of the Navajo Nation, as defined by 7 N.N.C. § 254 and 18 U.S.C. 1151, to provide effective and efficient law enforcement services on a twenty-four (24) hour basis to protect life and property, and to screen all police personnel to determine their level of law enforcement skills and knowledge and provide them with the required law enforcement training to achieve full potential as Navajo Nation Commissioned Officers. The application of these objectives is subject to the terms of the Department's Public Law 93-638 Contract.

III. STAFFING AND ORGANIZATION

- A. All personnel shall be employed and compensated in accordance with the applicable Navajo Nation Personnel Policies Manual, and the Chief of Police shall be selected by the Executive Director of the Navajo Division of Public Safety, in accordance with established Navajo Nation Personnel Policies Manual.
- B. The Navajo Police Department shall be staffed sufficiently to accomplish the purposes and objectives stated herein.
- C. The Chief of Police shall be authorized to make decisions regarding personnel staffing, and to request assistance from other agencies as needed to carry out the organizational purposes and objectives herein. The Chief of Police shall make changes to organizational structure based on the needs of the Navajo Nation. See Attachment 1, organizational chart. Additional positions shall be acquired within applicable rules and policies established for conducting the annual Navajo Nation budget process.
- D. There are hereby established seven (7) police districts within the Navajo Police Department. Each police district shall be administered by a Police Captain and/or Lieutenant who shall be directly responsible to the Chief of Police.
- E. There shall be seven (7) police districts within the Navajo Police Department. The Chief of Police may unilaterally modify districts based on factual assessment. The Chief of Police shall assign a commissioned supervisor for each police district who shall be directly responsible to the Chief of Police or his or her designee.
- F. There is hereby established the Navajo Police Training Academy within the Navajo Police Department. The Navajo Police Training Academy shall be administered by a Captain and/or Lieutenant who is commissioned supervisor who shall be directly responsible to the Chief of Police or his or her designee.

- G. There is hereby established the Navajo Public Safety Dispatch within the Navajo Police Department. The Navajo Public Safety Dispatch shall be administered by a supervisor who shall be selected by and directly responsible to the Chief of Police or his or her designee.

IV. AUTHORITY AND RESPONSIBILITIES

- A. The responsibilities of the Navajo Police Department shall include, but are not limited to, the following:
 - 1. To enforce all Navajo Nation laws, promote highway safety, respond to emergencies on roads within the territorial jurisdiction of the Navajo Nation and protect lives and property of the public served.
 - 2. To conduct investigations of major and minor crimes committed within the territorial jurisdiction of the Navajo Nation in coordination and cooperation with other law enforcement agencies.
 - 3. To develop and implement a rapid response computer based records management system to store records and to ensure that information is provided immediately to field sections.
 - 4. To develop and provide community programs that encourages members of the public to take an active role in the prevention of crime within the Territorial jurisdiction of the Navajo Nation and to enhance community relations.
 - 5. To coordinate investigation activities with the patrol and district criminal investigation sections.
 - 6. To conduct thorough investigations with a high degree of professionalism and impartiality, and to refer in a timely manner accurate reports and investigative information to proper authorities for purposes of prosecution, including prosecution in state and federal courts.

- B. The responsibilities of the Chief of Police of the Navajo Police Department shall include, but are not limited to the following:
1. To manage and control activities of the Navajo Police Department and to ensure cooperation and coordination between the Department and other law enforcement agencies operating within the territorial jurisdiction of the Navajo Nation.
 2. To supervise, control and administer the Navajo Police Department in compliance with all applicable Navajo Nation laws, rules and regulations, and other applicable grant and contract provisions.
 3. To coordinate communication among all law enforcement agencies involved in a criminal investigation within the territorial jurisdiction of the Navajo Nation.
 4. To report directly to the Executive Director regarding all activities of the Navajo Police Department on a regular basis.
 5. To collect accurate statistics on criminal and operational activities to evaluate law enforcement activities, practices and personnel and make recommendations necessary to improve the efficiency and effectiveness of the Department.
 6. To ensure that every employee is provided the necessary training and education to effectively and efficiently carry out his/her duties and responsibilities.
 7. To negotiate contracts, grants and agreements on behalf of the Navajo Police Department in compliance with all Navajo Nation laws, rules and regulations.
 8. To monitor fiscal matters and to develop an annual budget for the Navajo Police Department.
 9. To ensure that every employee is provided the necessary training and education to effectively and efficiently carry out their duties and responsibilities.

10. To oversee the Navajo Police Training Academy.
 11. To oversee the Navajo Public Safety Dispatch.
- C. The responsibilities of the commission supervisor shall include, but are not limited to, the following:
1. To provide consistent public safety leadership within respective communities.
 2. To maintain current information on the condition of police facilities and an inventory of police equipment, supplies and resources.
 3. To process and maintain personnel and investigative files, records and forms at each respective district within the Navajo Police Department.
- D. The responsibilities of the Navajo Police Training Academy shall be:
1. To provide physical facilities for training of all personnel within the Division of Public Safety.
 2. To provide basic and advance law enforcement education and training to police personnel and other individuals and agencies as needed or requested.
 3. To maintain training certification records of commissioned officers verifying compliance with law enforcement standards approved by the Navajo Nation.
 4. To provide advice to the Navajo Nation General POST for basic and advance law enforcement education and training curriculum and standards for police personnel.
- E. The responsibilities of the Navajo Public Safety Dispatch shall be to operate and maintain an efficient public safety dispatch and public safety answering point for incidents which occur within the territorial jurisdiction of the Navajo Nation.

V. LEGISLATIVE OVERSIGHT

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 at 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, 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

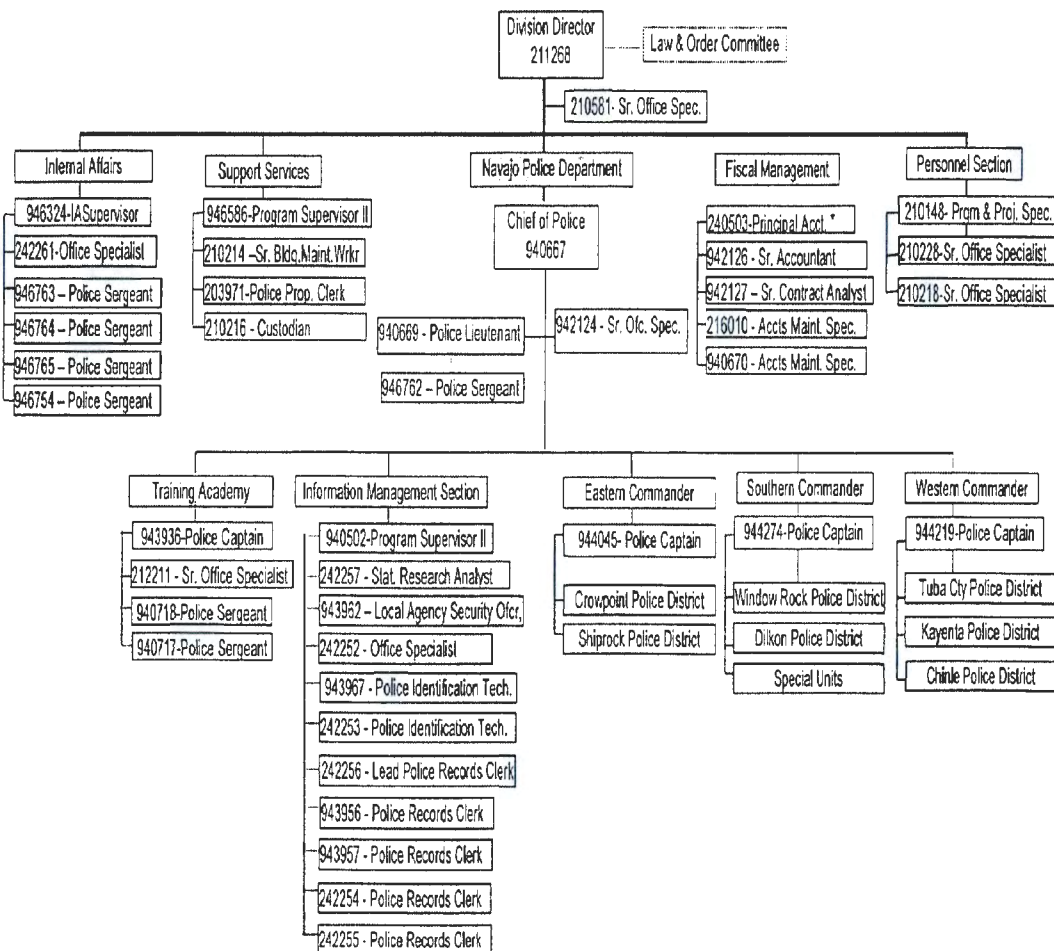
I, hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 oppose, this 9th day of April 2018.



Honorable Herman M. Daniels
Pro Tempore Chairperson
Law and Order Committee
of the 23RD Navajo Nation Council

Motion: Honorable Edmund Yazzie
Second: Honorable Otto Tso

Division of Public Safety
Organizational Chart
Dept. 21



Updated 03/15/2019