

**LEGISLATIVE SUMMARY SHEET**  
Tracking No. 0089-22

**DATE:** April 26, 2022

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER COMMITTEE; APPROVING AND AMENDING THE PLAN OF OPERATION FOR THE NAVAJO NATION POLICE DEPARTMENT**

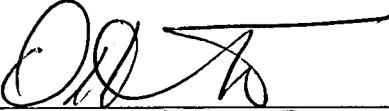
**PURPOSE:** This resolution, if approved, will amend the Plan of Operation for the Navajo Nation Police Department. Certain parts of the following sections will be amended by this Resolution: *Section II.* Purpose and Objectives; *Section III.* Staffing and Organization; *Section IV.* Authority and Responsibilities of the Navajo Nation Police Department, Responsibilities of the Chief of Police, and Responsibilities of Navajo Police Training Academy.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: A Johnson  
Website Posting Time/Date: 6:18pm, 04-27-22  
Posting End Date: 05-02-22  
Eligible for Action: 05-03-22

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24th NAVAJO NATION COUNCIL -- Fourth Year, 2022

3 INTRODUCED BY:

4   
5 \_\_\_\_\_  
6 OTTO TSO  
(Sponsor)

7  
8 TRACKING NO. 0089-22

9  
10 AN ACTION  
11 RELATING TO THE LAW AND ORDER COMMITTEE; APPROVING AND  
12 AMENDING THE PLAN OF OPERATION FOR THE NAVAJO NATION  
13 POLICE DEPARTMENT

14  
15 BE IT ENACTED:

16  
17 SECTION ONE. AUTHORITY

- 18 A. The Budget and Finance Committee is a standing committee of the Navajo Nation  
19 Council with legislative oversight over the Office of the Controller, to review,  
20 recommend or propose the adoption, amendment or rescission of its Plan of  
21 Operation. 2 N.N.C. §§ 300(A), 301(B)(13).
- 22 B. The Health, Education and Human Services Committee is a standing committee of  
23 the Navajo Nation Council with legislative oversight over the Division of General  
24 Services. 2 N.N.C. §§ 400(A), 401(C)(1).
- 25 C. The Law and Order Committee is a standing committee of the Navajo Nation Council  
26 empowered to review and approve plans of operation for all divisions, departments  
27 and programs under the Committee's oversight authority and to amend or rescind  
28 such plans of operation. 2 N.N.C. §§ 600(A), 601(B)(4).
- 29 D. The Law and Order Committee serves as the oversight committee for the Judicial  
30 Branch of the Navajo Nation, all administrative legal tribunals including but not

1 limited to the Navajo Nation Labor Commission and the Office of Hearings and  
2 Appeals, Office of the Public Defender, Office of the Prosecutor, Division of Public  
3 Safety, the Office of Ethics and Rules, and the Department of Justice. 2 N.N.C. §  
4 601(C)(1)(2).

5  
6 **SECTION TWO. FINDINGS**

- 7 A. The purpose of this legislation is to amend the Plan of Operation for the Navajo  
8 Nation Police Department. Certain parts of the following sections will be amended by  
9 this Resolution: *Section II.* Purpose and Objectives; *Section III.* Staffing and  
10 Organization; *Section IV.* Authority and Responsivities of the Navajo Nation Police  
11 Department, Responsibilities of the Chief of Police, and Responsibilities of Navajo  
12 Police Training Academy.
- 13 B. The amended plan of operation including an updated organizational chart is attached  
14 as **Exhibit A** and new language is clearly indicated by using the underscoring method  
15 pursuant to 2 N.N.C. § 164(A)(4).
- 16 C. The Navajo Nation Department of Justice has reviewed the amended Navajo Nation  
17 Police Department's Plan of Operation and deemed it legally sufficient. The  
18 Executive review is attached as **Exhibit B**.
- 19 D. LOCAP-08-18, attached as **Exhibit C**, is the current Plan of Operation for the Navajo  
20 Nation Police Department that will be amended.

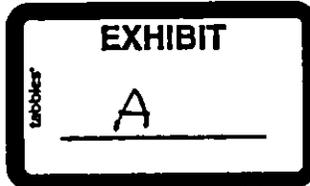
21  
22 **SECTION THREE. APPROVING THE AMENDED PLAN OF OPERATION FOR**  
23 **THE NAVAJO NATION POLICE DEPARTMENT**

24 The Law and Order Committee of the Navajo Nation Council hereby approves the  
25 amended Plan of Operation, attached as **Exhibit A**, for the Navajo Nation Police  
26 Department.

27  
28 **SECTION FOUR. EFFECTIVE DATE**

1 The Plan of Operation for the Navajo Nation Police Department, amended by this  
2 Resolution, shall take immediate effect upon the approval by the Law and Order  
3 Committee and certification by the Chairperson.

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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, by conducting comprehensive background checks of all qualified police applicants and to provide quality and professional police service to the people of the Navajo Nation. 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 the factual assessment. The Chief of Police shall assign a commissioned supervisor for each police district who shall be responsible to the Chief 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 a 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.
- H. There is hereby established the Auxiliary Services Section within the Navajo Police Department. The Auxiliary Services Section shall be administered by a supervisor who shall be selected by and directly responsible to the Chief of Police or his or her designee.
- I. There is hereby established the Professional Standards Section within the Navajo Police Department. The Professional Standards Section shall be administered by a commissioned supervisor who shall be selected by and directly responsible to the Chief of Police or his or her designee.

#### IV. AUTHORITY AND RESPONSIBILITES

- 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, and administer a rapid response computer based records management system and other databases 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 impartially, 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.
7. To provide personnel management by conducting qualification assessments of all referred applicants that is consistent with the Nation's personnel policies manual, including comprehensive background checks of applicants and current employees.
8. To provide fiscal management by developing comprehensive budgets, financial data and analysis reports for each police district and other administrative components within the department.
9. To provide property management, in consultation with Property Management Department of the Office of the Controller, by conducting inventory and inspection of all Nation property issued to all commissioned and civilian personnel with the department.
10. To provide facility maintenance and inspections of all department buildings and machinery, in consultation with the Facilities Maintenance Department of the Division General Services, so as to maintain a safe working environment for employees, and to ensure structural integrity of its facilities.

11. To conduct compliance reviews and inspections of all commissioned personnel's training and Navajo Peace Officer Standards & Training certification records.
12. To actively recruit on and off the Navajo Nation in efforts to seek qualified individuals to provide public safety services throughout the Navajo Nation.

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.
  12. To oversee the Auxiliary Services Section consisting of fiscal management, personnel management, information & technology management, property management and facility management.
  13. To oversee the Professional Standards Division consisting of background investigations, advanced training and recruitment, compliance, and inspections units.
- 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 provide basic and advance law enforcement education and training to police personnel and other individuals and agencies as needed or requested.
  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 Navajo 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.
- F. The responsibilities of the Auxiliary Services Section shall be to operate and maintain an efficient administrative components and support service for the continuity of law enforcement services within the territorial jurisdiction of the Navajo Nation.
- G. The responsibilities of the Professional Standards Division shall be to ensure the integrity of the department is maintained through a system of comprehensive background checks in the selection of all qualified police applicants, including annual compliance reviews and inspections of all commissioned personnel training records and peace officer certifications.

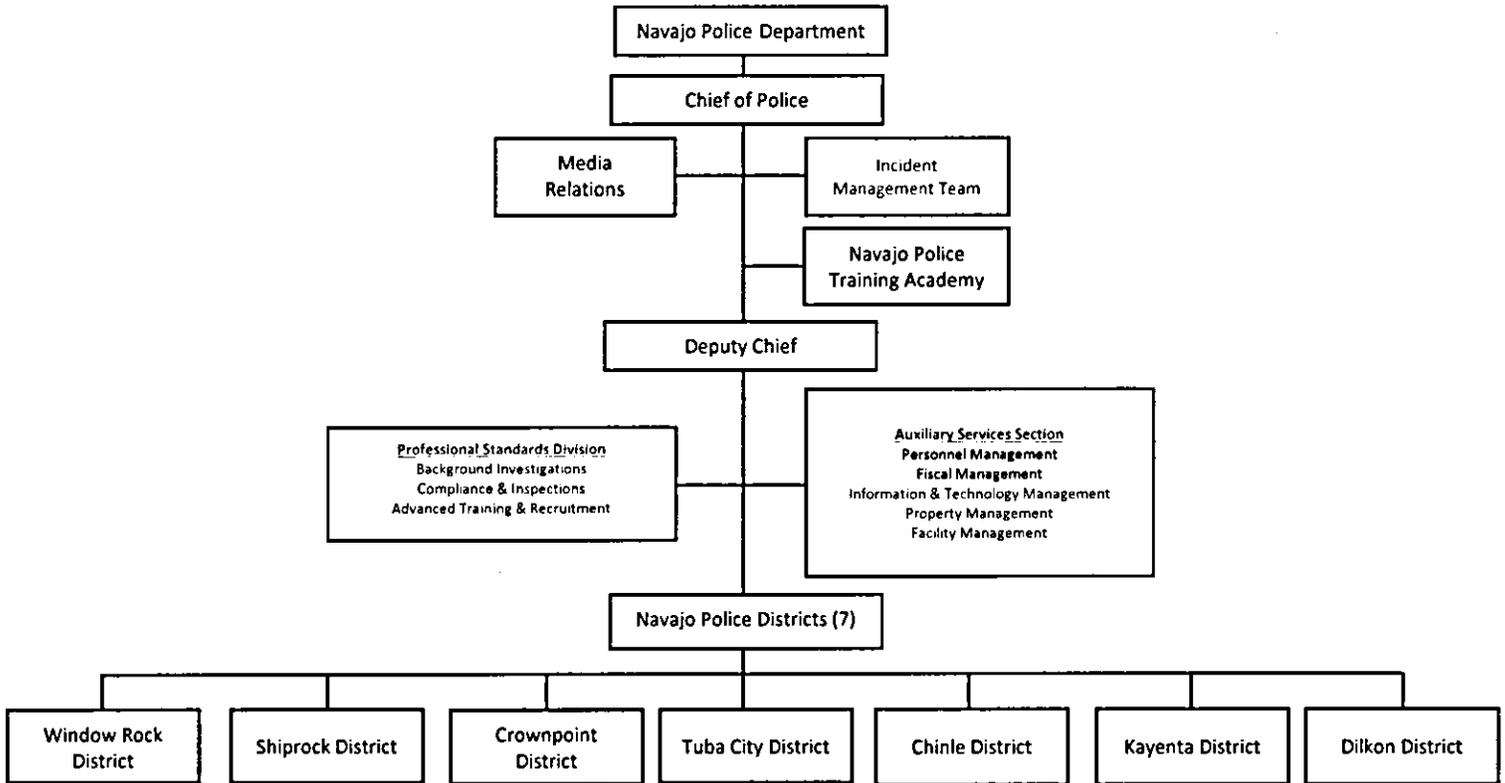
#### **V. LEGISLATIVE OVERSIGHT**

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.

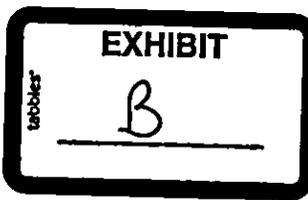
#### **VI. AMENDMENTS**

- 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.

### NAVAJO POLICE DEPARTMENT Organization Chart



Revised: February 16, 2022



Document No. 018227

Date Issued: 03/02/2022

**EXECUTIVE OFFICIAL REVIEW**

Title of Document: Plan of Operation Amendment for NPD Contact Name: SILVERSMITH, RONALD D.

Program/Division: DIVISION OF PUBLIC SAFETY

Email: rsilversmith@navajo-nsn.gov Phone Number: 928-637-3146

**Business Site Lease** Sufficient    Insufficient

1. Division: \_\_\_\_\_ Date: \_\_\_\_\_

2. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_

(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

1. Division: \_\_\_\_\_ Date: \_\_\_\_\_

2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

1. Office of Management and Budget: \_\_\_\_\_ Date: \_\_\_\_\_

2. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Navajo Housing Authority Request for Release of Funds**

1. NNEPA: \_\_\_\_\_ Date: \_\_\_\_\_

2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Lease Purchase Agreements**

1. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_

(recommendation only)

2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Grant Applications**

1. Office of Management and Budget: \_\_\_\_\_ Date: \_\_\_\_\_

2. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

1. Division: Will be Date: 03/1/22

2. Office of the Attorney General: UG Date: 3/23/22

**Relinquishment of Navajo Membership**

1. Land Department: \_\_\_\_\_ Date: \_\_\_\_\_

2. Elections: \_\_\_\_\_ Date: \_\_\_\_\_

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_

**Land Withdrawal or Relinquishment for Commercial Purposes** Sufficient    Insufficient

- |                                    |       |       |       |                          |                          |
|------------------------------------|-------|-------|-------|--------------------------|--------------------------|
| 1. Division:                       | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

**Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**

- |             |       |       |       |                          |                          |
|-------------|-------|-------|-------|--------------------------|--------------------------|
| 1. NLD      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. F&W      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. HPD      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Minerals | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. NNEPA    | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. DNR      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. DOJ      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

**Rights of Way**

- |                                    |       |       |       |                          |                          |
|------------------------------------|-------|-------|-------|--------------------------|--------------------------|
| 1. NLD                             | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. F&W                             | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. HPD                             | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Minerals                        | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. NNEPA                           | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Office of the Attorney General: | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. OPVP                            | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

**Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**

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|-------------|-------|-------|-------|--------------------------|--------------------------|
| 1. Minerals | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. OPVP     | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. NLD      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

**Assignment of Mineral Lease**

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|-------------|-------|-------|-------|--------------------------|--------------------------|
| 1. Minerals | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. DNR      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. DOJ      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

**ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**

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| 2. F&W      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. HPD      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Minerals | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. NNEPA    | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. DNR      | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
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| 8. OPVP     | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

**OTHER:**

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| 3. _____ | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
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| 5. _____ | _____ | Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

NAVAJO NATION DEPARTMENT OF JUSTICE



**REQUEST  
FOR  
SERVICES**



DOJ  
2/16/22 @ 11:04  
DATE / TIME  
RFS #: 22-0277  
UNIT: Hsqw

RESUBMITTAL

\*\*\* FOR NDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

**CLIENT TO COMPLETE**

DATE OF REQUEST: 2/14/2022 ENTITY/DIVISION: Division of Public Safety  
 CONTACT NAME: Ronald Silversmith, Captain DEPARTMENT: Navajo Police Department  
 PHONE NUMBER: (928) 637-3146 E-MAIL: rsilversmith@navajo-nsn.gov

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):  
 Legal review of amending Plan of Operation for NPDS and Navajo Police Department transfer of functions.

DEADLINE: None REASON:

**DOJ SECRETARY TO COMPLETE**

DATE/TIME IN UNIT: 2/16/2022 1:49pm REVIEWING ATTORNEY/ADVOCATE: LBJ PDCP

DATE TIME OUT OF UNIT: 2/17/2022 1:00pm PREPARED BY (initial): CP

**DOJ ATTORNEY / ADVOCATE COMMENTS**

See memo

REVIEWED BY: (PRINT) [Signature] DATE / TIME: 2/16/22  
 DOJ Secretary Called: Emailed rsilversmith for Document Pick Up on 2/17/22 at 1:00pm By: CP  
 PICKED UP BY: (PRINT) DATE / TIME:



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ 3/18/22 @ 826 DATE/TIME: 7 Day Deadline DOC #: 18227 SAS #: UNIT: Hsqn

RESUBMITTAL Xref- 22-0277

FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED.

CLIENT TO COMPLETE: DATE OF REQUEST: 3.18.22 ENTITY/DIVISION: DPS CONTACT NAME: Lavina Willie-Nez DEPARTMENT: NPD PHONE NUMBER: 928 380 7357 E-MAIL: lwillie@navajo-nsn.gov TITLE OF DOCUMENT: Plan of Operation for NPD DOJ SECRETARY TO COMPLETE: DATE/TIME IN UNIT: 3/18/2022 @ 11:27am REVIEWING ATTORNEY/ADVOCATE: PA/CP DATE/TIME OUT OF UNIT: 3/23/2022 @ 12:00pm DOJ ATTORNEY/ADVOCATE COMMENTS: Sufficient REVIEWED BY: (PRINT) DATE / TIME SURNAMED BY: (PRINT) DATE / TIME DOJ Secretary Called: EMAILLED: willie for Document Pick Up on 3/23/22 at 12pm By: CP PICKED UP BY: (PRINT) DATE / TIME:



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

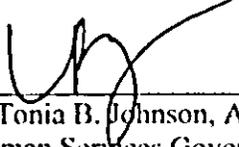
DOREEN N MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

MEMORANDUM

**TO:** Captain Silversmith, Delegated Deputy Chief of Police  
Navajo Police Department  
Division of Public Safety

**FROM:**

  
LaTonia B. Johnson, Assistant Attorney General  
Human Services Government Unit  
Department of Justice

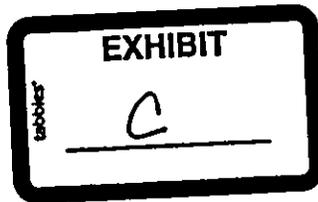
**DATE:** February 16, 2022

**SUBJECT:** RFS No. 22-0277: Review of Division of Public Safety's proposed amendments to the Plan of Operation.

The Department of Justice (DOJ) has reviewed the attached proposed amendments to the Division of Public Safety's (DPS) Plan of Operation (Attachment 1) and finds it sufficient to address DPS' departmental changes. In moving forward, please process the proposed amendments through the Executive Review process using the box for Plan of Operation and to be reviewed and signed by the DPS Division Director and DOJ before submitted to legislative for Law and Order Committee's review and consideration.

If you have any questions regarding this memorandum, please contact me via email at [lajohnson@nndoj.org](mailto:lajohnson@nndoj.org). Thank you.

LBJ/cp.72



LOCAP-08-18

**RESOLUTION OF THE  
LAW AND ORDER COMMITTEE  
23<sup>RD</sup> 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:

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**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**

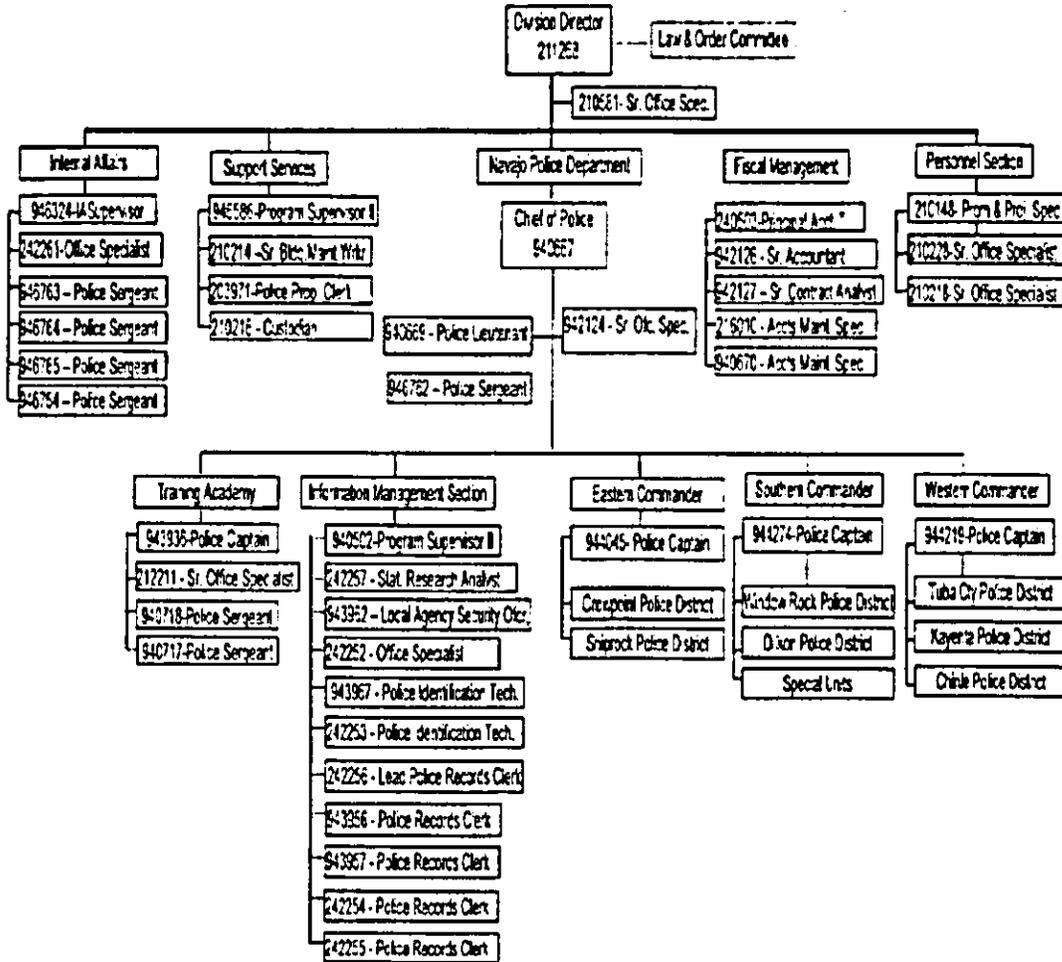
I, hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 oppose,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

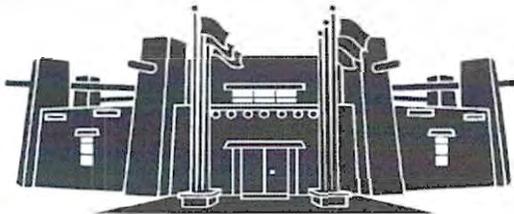


Honorable Herman M. Daniels  
Pro Tempore Chairperson  
Law and Order Committee  
of the 23<sup>rd</sup> Navajo Nation Council

Motion: Honorable Edmund Yazzie  
Second: Honorable Otto Tso

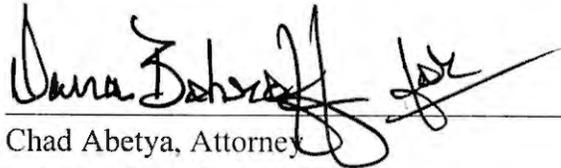
Division of Public Safety  
Organizational Chart  
Dept. 21





## MEMORANDUM

TO: Honorable Otto Tso  
24<sup>th</sup> Navajo Nation Council

FROM:   
Chad Abetya, Attorney  
Office of Legislative Counsel

DATE: April 28, 2022

SUBJECT: **AN ACTION RELATING TO THE LAW AND ORDER COMMITTEE;  
APPROVING AND AMENDING THE PLAN OF OPERATION FOR THE  
NAVAJO NATION POLICE DEPARTMENT**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0089-22\_

SPONSOR: Otto Tso

**TITLE: An Action Relating to the Law and Order Committee; Approving and Amending the Plan of Operation for the Navajo Nation Police Department**

**Date posted: April 27, 2022 at 6:18PM**

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)**

**Written comments may be mailed to:**

**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586**

**Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.**

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*