

RESOLUTION OF THE
LAW AND ORDER COMMITTEE OF THE
24th NAVAJO NATION COUNCIL -- Fourth Year, 2022

AN ACTION

RELATING TO THE BUDGET AND FINANCE COMMITTEE, HEALTH EDUCATION
AND HUMAN SERVICES COMMITTEE AND LAW AND ORDER COMMITTEE;
APPROVING AND AMENDING THE PLAN OF OPERATION FOR THE NAVAJO
NATION POLICE DEPARTMENT

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with legislative oversight over the Office of the Controller, to review, recommend or propose the adoption, amendment or rescission of its Plan of Operation. 2 N.N.C. §§ 300(A), 301(B)(13).
- B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council with legislative oversight over the Division of General Services. 2 N.N.C. §§ 400(A), 401(C)(1).
- C. The Law and Order Committee is a standing committee of the Navajo Nation Council empowered to review and approve plans of operation for all divisions, departments and programs under the Committee's oversight authority and to amend or rescind such plans of operation. 2 N.N.C. §§ 600(A), 601(B)(4).
- D. The Law and Order Committee serves as the oversight committee for the Judicial Branch of the Navajo Nation, all administrative legal tribunals including but not limited to the Navajo Nation Labor Commission and the Office of Hearings and Appeals, Office of the Public Defender, Office of the Prosecutor, Division of Public Safety, the Office of Ethics and Rules, and the Department of Justice. 2 N.N.C. § 601(C)(1)(2).

SECTION TWO. FINDINGS

- A. The purpose of this legislation is to 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.

- B. The amended plan of operation including an updated organizational chart is attached as **Exhibit A** and new language is clearly indicated by using the underscoring method pursuant to 2 N.N.C. § 164(A)(4).
- C. The Navajo Nation Department of Justice has reviewed the amended Navajo Nation Police Department's Plan of Operation and deemed it legally sufficient. The Executive review is attached as **Exhibit B**.
- D. LOCAP-08-18, attached as **Exhibit C**, is the current Plan of Operation for the Navajo Nation Police Department that will be amended.

SECTION THREE. APPROVING THE AMENDED PLAN OF OPERATION FOR THE NAVAJO NATION POLICE DEPARTMENT

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

SECTION FOUR. EFFECTIVE DATE

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

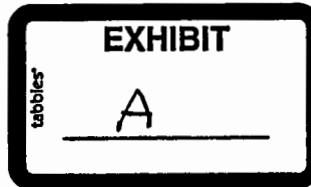
CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Law and Order Committee of the 24th 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 04 in Favor, and 00 Opposed, on this 27th day of June 2022.



Honorable Eugenia Charles-Newton, Chairwoman
Law and Order Committee

Motioned: Honorable Edmund Yazzie
Second : Honorable Otto Tso



**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 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, 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.

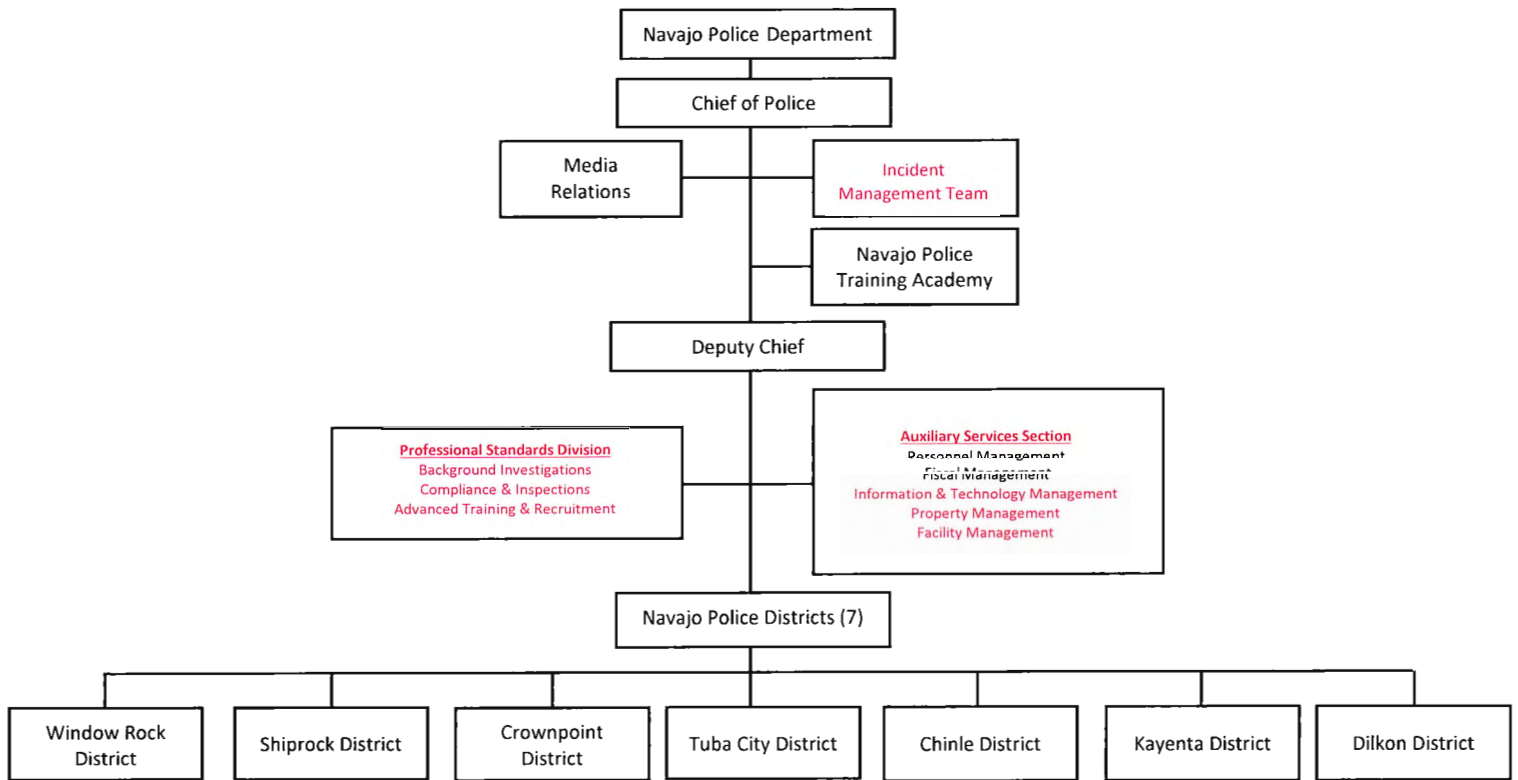
V. LEGISLATIVE OVERSIGHT

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.

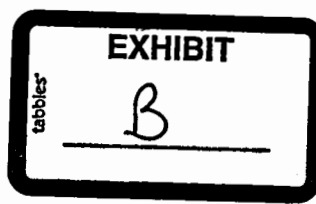
VI. AMENDMENTS

- 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. 018227Date 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 SAFETYEmail: rsilversmith@navajo-nsn.gov Phone Number: 928-637-3146

<input type="checkbox"/> Business Site Lease			Sufficient	Insufficient
1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(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: _____	<input type="checkbox"/>	<input type="checkbox"/>

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

<input type="checkbox"/> Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications				
1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Navajo Housing Authority Request for Release of Funds				
1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Lease Purchase Agreements				
1. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(recommendation only)				
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Grant Applications				
1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input checked="" type="checkbox"/> 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:	<u>Ullu Delle</u>	Date: <u>03/16/22</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	<u>UJ</u>	Date: <u>3/23/22</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Relinquishment of Navajo Membership				
1. Land Department:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Elections:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **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**

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**

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)**

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"/>
8. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

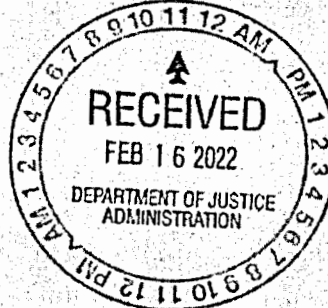
☐ **OTHER:**

1. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

NAVAJO NATION DEPARTMENT OF JUSTICE



REQUEST FOR SERVICES



DOJ
2/16/22 11:00a
DATE / TIME
RFS #: 22-0277
UNIT: Hsqw

☐ RESUBMITTAL

*** FOR NNDJ 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

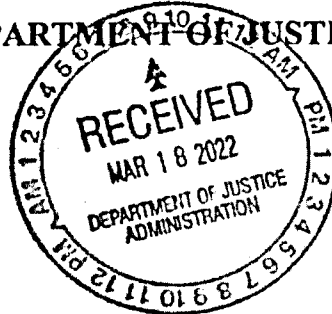
REVIEWED BY: (PRINT) [Signature]	DATE / TIME: 2/16/22
DOJ Secretary Called: Enailed. rsilversmith	for Document Pick Up on 2/17/22 at 1:00pm By: CP

PICKED UP BY: (PRINT) DATE / TIME:



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
3/18/22 @ 8:26a
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 18227
SAS #:
UNIT: H59u

☐ 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-NP2	DEPARTMENT: NPD
PHONE NUMBER: 928 380 7357	E-MAIL: lwillie@navajo-nsgov
TITLE OF DOCUMENT: Plan of Operation for NPD	

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 3/18/2022 @ 11:27am	REVIEWING ATTORNEY/ADVOCATE: PD/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
		UP	3/23/22
DOJ Secretary Called: EMAILED: lwillie		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

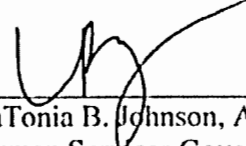
DOREEN N. MCPAUL
Attorney General

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

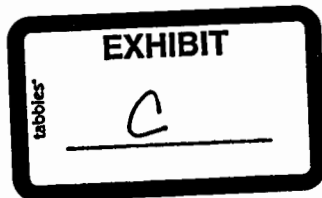
DATE: February 16, 2022

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. Thank you.

LBJ/cp.72



LOCAP-08-18

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

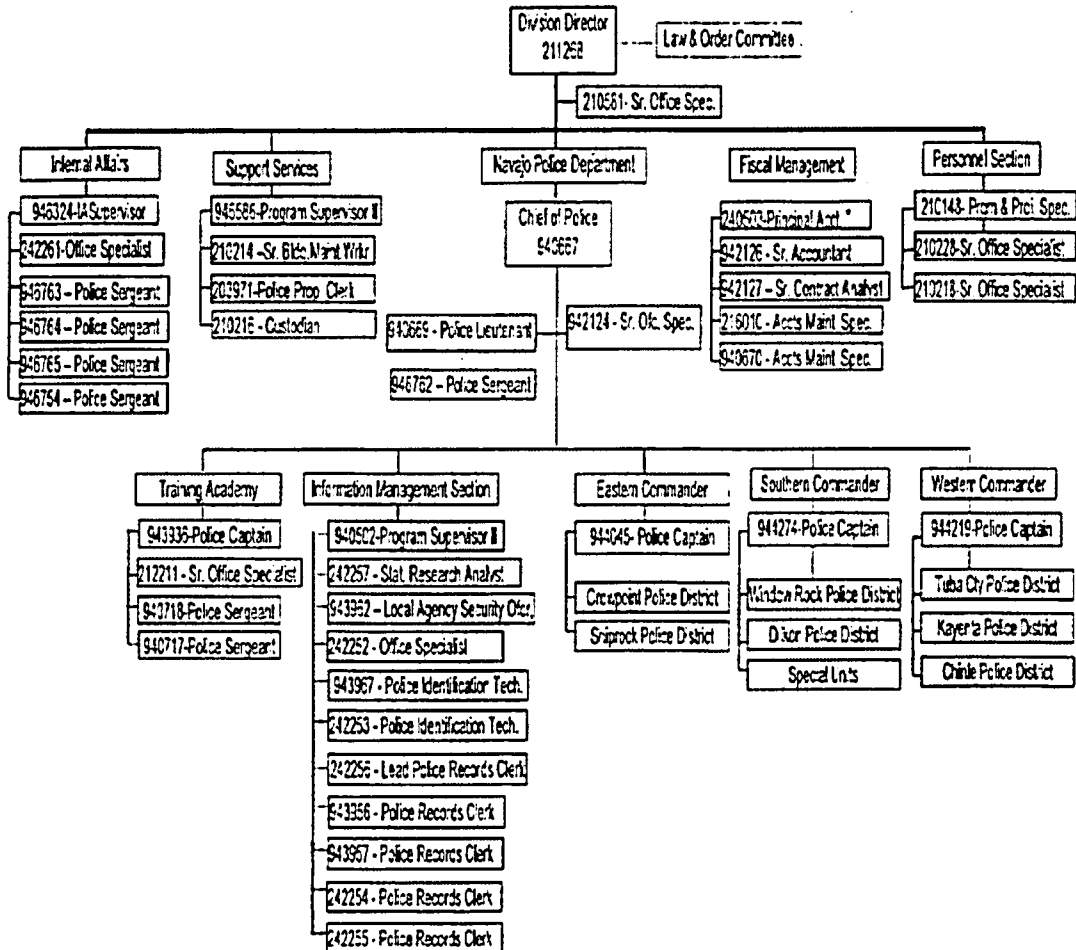
I, hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 oppose, this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



Revised 03/15/14

LAW AND ORDER COMMITTEE

Regular Meeting

June 27, 2022

Legislation No. 0089-22: An Action Relating to the Law and Order Committee; Approving and Amending the Plan of Operation for the Navajo Nation Police Department – *Sponsor: Honorable Otto Tso*

VOTE TALLY SHEET:

AMENDMENT NO. 1

Motion: Hon. Otto Tso

Second: Hon. Eugene Tso

Vote: 4-0-1

Yea: Hon. Vince James, Hon. Eugene Tso, Hon. Otto Tso, Hon. Edmund Yazzie

Nay: None

Not Voting: Hon. Eugenia Charles-Newton

Excused: None

Absent: None

Main Motion:

Motion: Honorable Edmund Yazzie

Second: Honorable Otto Tso

Vote: 4-0-1


Yea: Hon. Vince James, Hon. Eugene Tso, Hon. Otto Tso, Hon. Edmund Yazzie

Nay: None

Not Voting: Hon. Eugenia Charles-Newton

Excused: None

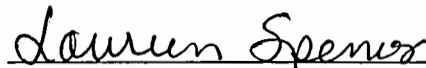
Absent: None



Eugenia Charles-Newton, Chairwoman

Law and Order Committee

24th Navajo Nation Council



Laureen Spencer, Legislative Advisor

Office of Legislative Services