

LEGISLATIVE SUMMARY SHEET

Tracking No. 0330-18

DATE: October 5, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER;
APPROVING A PLAN OF OPERATION FOR NAVAJO NATION DEPARTMENT OF
MEDICAL EXAMINERS, DIVISION OF PUBLIC SAFETY

PURPOSE: The purpose of this legislation is to approve a Plan of Operation for Navajo
Nation Department of Medical Examiners, Division of Public Safety.

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

5-DAY BILL/HOLD PERIOD: None
Website Posting Time/Date: 4:25pm 10/8/18
Posting End Date: 10/13/2018
Eligible for Action: 10/14/2018

PROPOSED STANDING COMMITTEE RESOLUTION
23rd NAVAJO NATION COUNCIL - Fourth Year, 2018

INTRODUCED BY

Kec Allen Begay Jr
(Prime Sponsor)

0330-18

AN ACTION

RELATING TO LAW AND ORDER; APPROVING A PLAN OF OPERATION FOR
NAVAJO NATION DEPARTMENT OF MEDICAL EXAMINERS,
DIVISION OF PUBLIC SAFETY

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

The Navajo Nation Council, through resolution _____, amended enabling legislation for the Navajo Nation Division of Public Safety. Resolution _____ attached as Exhibit B. The enabling legislation created a Department of Medical Examiners within the Division of Public Safety, and further authorized that the Law and Order Committee to approve a Plan of Operation for the department.

1 **SECTION THREE. APPROVING A PLAN OF OPERATION FOR NAVAJO**
2 **DEPARTMENT OF MEDICAL EXAMINERS**

3 The Navajo Nation hereby approves a Plan of Operation for the Navajo Department
4 of Medical Examiners, attached as Exhibit A.

NAVAJO DIVISION OF PUBLIC SAFETY
DEPARTMENT OF MEDICAL EXAMINERS
PLAN OF OPERATION

I. ESTABLISHMENT

There is hereby established the Navajo Department of Medical Examiners within the Navajo Division of Public Safety.

II. PURPOSE AND OBJECTIVES

The purpose of the Navajo Department of Medical Examiners is to provide effective and efficient death investigation services within the territorial jurisdiction of the Navajo Nation on a 24-hour basis.

III. STAFFING AND ORGANIZATION

A. All personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies Manual.

B. The Chief Medical Examiner shall be selected by the Executive Director of the Navajo Division of Public Safety.

C. The Chief Medical Investigator, shall be selected by the Chief Medical Examiner.

D. There is hereby established five (5) Department of Medical Examiner Area Offices: Northern, Eastern, Southern, Western, and Central. Each Area Office shall be supervised by a Deputy Medical Investigator which will be selected by the Chief Medical Investigator. See organizational chart, Attachment "1."

1 E. The Chief Medical Examiner shall be authorized to make decisions regarding
2 additional personnel positions. Additional positions shall be acquired within
3 applicable rules established for conducting the annual Navajo Nation budget process.
4

5 F. The Chief Medical Examiner or the Chief Medical Investigator may request
6 professional and/or technical assistance from other tribal, federal, state, county, city,
7 or private agencies, as needed, to carry out the investigation of any death cases for the
8 purposes of completing the appropriate state death certificates.
9

10 **IV. AUTHORITY AND RESPONSIBILITY**

11 A. The responsibilities of the Navajo Department of Medical Examiners shall include,
12 but are not limited to, the following:

- 13 1. Exercise control and authority over any human death cases within the territorial
14 jurisdiction of the Navajo Nation.
- 15 2. Thoroughly conduct death investigation cases and coordinate with the Navajo
16 Police Department and/or the Navajo Department of Criminal Investigations on
17 any cases in which suspicious circumstances arise.
- 18 3. Coordinate the medical record review with area hospitals and medical personnel
19 with a high degree of professionalism and impartiality to determine the cause and
20 manner of any related death cases.
- 21 4. Refer completed death certificates to the proper funeral home and/or state vital
22 statistic office in a prudent and timely manner.
- 23 5. Provide training services within the territorial jurisdiction of the Navajo Nation in
24 order to enhance government, business, and community relations.
- 25 6. Provide general statistical data to the Navajo Department of Health, Navajo
26 Epidemiology Center in a prudent and timely manner, as necessary.
- 27 7. Coordinate with families and funeral homes, when identified, to ensure smooth
28 and proper burial of decedents.
29
30

1 B. The responsibilities of the Chief Medical Examiner shall include, but are not limited
2 to, the following:

- 3 1. Monitor and ensure that the Navajo Department of Medical Examiners is in
4 compliance with all applicable Navajo Nation, federal, and state laws, rules and
5 regulations, and other applicable grant and contract provisions.
- 6 2. Complete the appropriate state death certificate and ensure timely submission to
7 the appropriate funeral home and/or state vital statistics office.
- 8 3. Conduct autopsies when necessary to determine cause and manner of death with
9 all due diligence while being mindful of family, cultural and religious practices
10 and traditions.
- 11 4. Ensure that accurate records and statistical information are maintained regarding
12 all death cases within the territorial jurisdiction of the Navajo Nation.
- 13 5. Negotiate contracts, grants and agreements on behalf of the Navajo Department of
14 Medical Examiners in compliance with all Navajo Nation, federal, and state laws,
15 rules and regulations.
- 16 6. Provide general oversight, review and guidance to the Navajo Department of
17 Medical Examiners.
- 18 7. Report directly to the Executive Director of the Navajo Division of Public Safety
19 regarding all activities of the Navajo Department of Medical Examiners on a
20 regular basis.
- 21 8. Provide expert testimony in criminal and civil court as required.

22
23 C. The responsibilities of the Chief Medical Investigator, shall include, but are not
24 limited to the following:

- 25 1. Assist the Chief Medical Examiner with autopsies, as necessary.
 - 26 2. Establish and implement Department of Medical Examiners standard operating
27 procedures, general orders, guidelines, forms, and training procedures.
 - 28 3. Assist the Chief Medical Examiner with the development of an annual budget,
29 departmental planning, and project implementation.
- 30

1 4. Provide training to the Deputy Medical Investigators, Field Deputy Medical
2 Investigators, and other government, public or private, entities.

3 5. Provide direct oversight to the Department of Medical Examiners Area Offices.
4

5 D. The responsibilities of the Deputy Medical Investigators and the Field Deputy
6 Medical Investigators shall include, but not limited to the following:

7 1. Receives notifications of death, determines jurisdiction and course of action.

8 2. Responds to and conducts investigations on reported incidents of human death to
9 include interviews of witnesses, photographs, evaluation of the body, and
10 evaluation of evidence at the scene(s).

11 3. Gathers, secures and transports human remains.

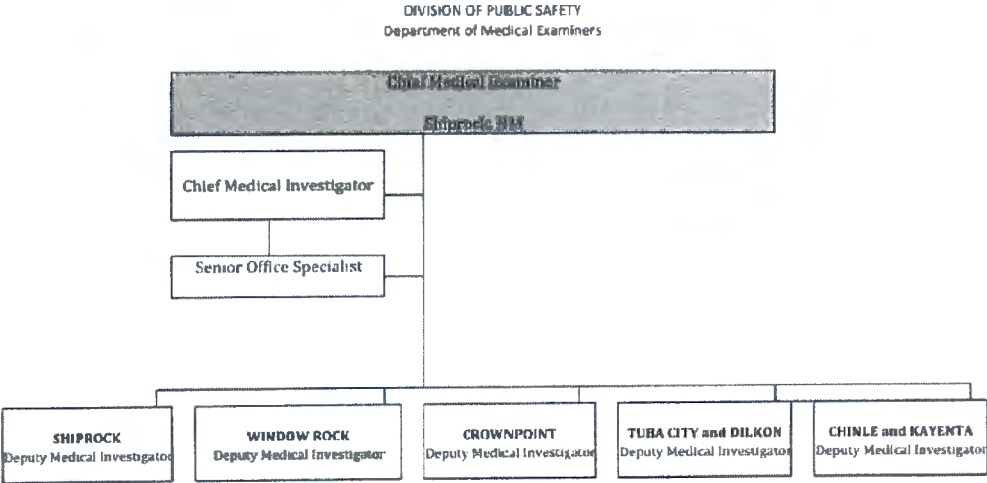
12 4. Collects evidence related for analysis for determining cause and manner of death.
13 Follows established chain of custody. Understands how to collect, store, handle,
14 and transport biohazards, medicines, and other dangerous evidentiary items.
15

16 **V. LEGISLATIVE OVERSIGHT**

17 The Navajo Department of Medical Examiners, Navajo Nation Division of Public
18 Safety, shall operate under the legislative oversight of the Law and Order Committee
19 of the Navajo Nation Council, pursuant to the powers granted that Committee in 2
20 N.N.C. § 601.
21

22 **VI. AMENDMENTS**

23 This Plan of Operation may be amended from time to time by the Law and Order
24 Committee of the Navajo Nation Council as deemed appropriate.
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PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL - Fourth Year, 2018
INTRODUCED BY

(Prime Sponsor)

AN ACT

RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 1352 AND 17 N.N.C §§ 1851 THROUGH 1854; AMENDING CORONER PROVISIONS AND ESTABLISHING A DEPARTMENT OF MEDICAL EXAMINERS WITHIN THE DIVISION OF PUBLIC SAFETY; AUTHORIZING THE LAW AND ORDER COMMITTEE TO APPROVE A PLAN OF OPERATION FOR THE DEPARTMENT OF MEDICAL EXAMINERS

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). The committee, among other duties and responsibilities, oversees the Navajo Nation Division of Public Safety and programs within the division. 2 N.N.C. §§ 600(C)(5) and 601(C)(1). The 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.

B. Pursuant to 2 N.N.C. §164(A)(9), "a proposed resolution that requires final action by the Navajo Nation Council [must] be assigned to standing committee(s) having authority over the subject matter at issue and the Naabik'iyáti Committee."

1 C. The Navajo Nation Council, pursuant to 2 N.N.C. §102(A), is the "governing body of
2 the Navajo Nation" A primary role of Navajo Nation Council delegates is policy-
3 making, a role with includes approval of enabling legislation.
4

5 **SECTION TWO. FINDINGS**

6 A. Pursuant to 17 N.N.C. §1851, "[t]he President of the Navajo Nation is authorized to
7 appoint at least one coroner within each police district, and to hold office at the
8 President's pleasure. Coroners shall be paid at a rate established by the Navajo Nation
9 Council and may be reimbursed for actual and necessary expenses, upon presenting
10 proper vouchers to the Controller of the Navajo Nation." 17 N.N.C. § 1851, *Appointment*
11 *of coroners; compensation.*

12 B. By a 2004 Executive Order, Joe Shirley, Jr., then President of the Navajo Nation,
13 appointed the Navajo Department of Criminal Investigation Captains (Criminal
14 Investigator Supervisors) as Coroners; and Criminal Investigation Lieutenants (Senior
15 Criminal Investigators) and Criminal Investigation Sergeants (Criminal Investigators) as
16 Deputy Coroners of each of the several Police Districts on the Navajo Nation.

17 C. The Navajo Department of Criminal Investigations is a program within the Division
18 of Public Safety, and is contracted through the BIA P.L. 93-638 to conduct investigations
19 of major crimes such as, but not limited to, homicides, rapes, and serious assaults.

20 D. Regarding determinations on causes of death, the policy of the BIA is that "under no
21 circumstances will a BIA Special Agent or Police Officer make a ruling regarding the
22 cause of death." BIA Death Investigation Policy # DIV-CR-02-2005 (issued 2005). This
23 policy applies to all law enforcement officers performing the same duties and
24 responsibilities as BIA Special Agents or Police Officers under the Navajo Nation's P.L.
25 93-638 contract.

26 E. The Navajo Department of Criminal Investigation is currently experiencing a strain to
27 perform coroner duties and to also conduct major crime investigations, especially under
28 the current manpower shortage.

29 F. Death investigation is a health-related field that should be managed by personnel
30 specifically trained in Medicolegal Death Investigation.

1 G. The creation of the Navajo Department of Medical Examiners supports self-reliance,
2 self-determination, job creation, and ensures that Navajo interests, beliefs, and traditions
3 will be protected.
4

5 **SECTION THREE. AMENDING ENABLING LEGISLATION FOR DIVISION**
6 **OF PUBLIC SAFETY**

7 The Navajo Nation hereby amends the enabling legislation for the Navajo Nation
8 Division of Public Safety, 2 N.N.C. § 1352 *et seq.*, as follows:
9

10
11 **TITLE 2. NAVAJO NATION GOVERNMENT**

12 **Chapter 5. Executive Branch**

13 **Subchapter 15. Division of Public Safety**

14 ********

15 **§ 1352. Purpose and objectives**

16 A. The purposes of the Navajo Division of Public Safety shall be:

- 17 1. To plan, organize and administer all aspects of the Navajo Division of Public Safety
18 programs so as to provide multi-public safety services that meet the needs of tribal
19 members of the Navajo Nation, as well as other individuals and entities within the
20 territorial jurisdiction of the Navajo Nation as defined in 7 N.N.C. § 254 and 18
21 U.S.C. § 1151.
- 22 2. To exercise control and authority over all law enforcement and public safety
23 activities within the Navajo Nation and adjoining Indian Country as designated
24 under Navajo, federal and other applicable laws where the Navajo Nation
25 exercises jurisdiction.

26 B. The objectives of the Navajo Division of Public Safety include, but are not limited to
27 the following:

- 28 1. To maintain law and order by the enforcement of applicable criminal laws and the
29 safeguarding of the lives and properties of the persons on the Navajo Nation by
30 deterring criminal activities and violations of tribal, state and federal laws,

1 through effective investigation, and to provide assistance in prosecutions and
2 appropriate court actions, in cooperation with the Navajo Nation Office of the
3 Prosecutor and other criminal justice entities which possess jurisdiction; to
4 negotiate and enter into appropriate agreements with other governmental
5 jurisdictions to carry out the responsibilities herein, in compliance with applicable
6 Navajo Nation laws, rules and regulations.

- 7 2. To plan for, respond to, and aid in the recovery from natural and manmade
8 disasters on the Navajo Nation and to coordinate with and train tribal and
9 affiliated non-tribal entities in the development of a comprehensive emergency
10 management plan.
- 11 3. To provide fire and rescue services and to develop community volunteer fire
12 services to effectively and efficiently respond to fire and rescue operations; to
13 provide training facilities and instructors for local fire departments; to enforce fire
14 and building codes and other applicable codes related to fire safety.
- 15 4. To respond to medical emergencies by rendering emergency care, and to transport
16 the sick or injured to a clinic or hospital when appropriate.
- 17 5. To establish, operate and provide support services for victims of serious and
18 violent crimes.
- 19 6. To provide and coordinate support services to ensure the availability of counseling
20 for Division employees.
- 21 7. To coordinate and disseminate information on safety programs and to facilitate
22 funding mechanism for its component departments with non-tribal entities.
- 23 8. To plan for, establish, provide and operate appropriate correctional facilities and
24 appropriate correctional services.
- 25 9. To provide competent medicolegal death investigations.

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1 **SECTION FOUR. AMENDING TITLE 17 BY DELETING CORONER**
2 **PROVISIONS; CREATING A DEPARTMENT OF MEDICAL EXAMINERS**

3 The Navajo Nation hereby amends Title 17 by deleting coroner provisions at sections
4 1851 through 1854 and creating a Department of Medical Examiners as follows:

5

6
7 **TITLE 17. LAW AND ORDER**

8 **Chapter 5. Procedures**

9 **Subchapter 3. ~~Coroners~~ Medical Examiners; Investigation of Deaths**

10
11 ~~§ 1851. Appointment of coroners; compensation~~

12 ~~The President of the Navajo Nation is authorized to appoint at least one coroner within~~
13 ~~each police district, and to hold office at the President's pleasure. Coroners shall be paid at~~
14 ~~a rate established by the Navajo Nation Council and may be reimbursed for actual and~~
15 ~~necessary expenses, upon presenting proper vouchers to the Controller of the Navajo~~
16 ~~Nation.~~

17
18 **§ 1851. Establishment of the Navajo Department of Medical Examiners**

19 There is established within the Navajo Nation Division of Public Safety in the
20 Executive branch of the government of the Navajo Nation, the Navajo Department of
21 Medical Examiners.

22
23 **§ 1852. Investigation of deaths - Generally**

24 ~~Whenever a coroner is informed that a person on Navajo Nation land has been killed, or~~
25 ~~has suddenly died under such circumstances as afford reasonable ground to suspect that the~~
26 ~~death was occasioned by the criminal act or gross negligence of another, the coroner shall~~
27 ~~go to the place where the body is located and inquire into the cause of death. Unless the~~
28 ~~coroner is a physician, he or she shall endeavor to have a physician accompany him or her~~
29 ~~to the place where the body is located.~~

1 A. The Navajo Nation Department of Medical Examiners shall, within the Navajo Nation,
2 investigate all deaths occurring under suspicious circumstances, including violent and
3 unexplained deaths. The Chief Medical Examiner, other medical examiners, and
4 medicolegal investigators within the Navajo Nation Department of Medical Examiners are
5 authorized to make determinations and issue certificates of death, among other duties and
6 responsibilities within its Plan of Operation.

7 B. The Navajo Nation Department of Medical Examiners is authorized to respond to the
8 scene of the death and shall prescribe procedures for taking possession of a dead body
9 following a death subject to investigation under this Section and for obtaining all
10 medicolegal facts relevant to the medical cause of death. The dead body shall not be
11 disturbed unless the Chief Medical Examiner or his/her designee grants permission to do
12 so.

13 C. All medicolegal investigations must be conducted in a manner that respects the culture,
14 tradition, and beliefs of the Navajo Nation.

15 D. As needed, the Navajo Nation Department of Medical Examiners may engage medical
16 examiners or offices of medical examination on a short term basis to respond to unexpected
17 surges in the need for medicolegal investigations.

18
19 **§ 1853. Autopsies and exhumations**

20 ~~A. When the coroner determines that the cause of death cannot be determined without an~~
21 ~~autopsy, the coroner or district prosecutor may petition the district court of the Navajo~~
22 ~~Nation to order an autopsy be held. If such an autopsy shall require exhumation of the~~
23 ~~body, such information shall be included in the petition. Hearings on such petitions shall~~
24 ~~be held on an expedited schedule upon a showing of exigent circumstances derived from~~
25 ~~medical necessity or the needs of a criminal investigation.~~

26 ~~B. The immediate family of the decedent shall be served with a copy of the petition and~~
27 ~~shall be allowed to file objections, if their identity and whereabouts can be ascertained and~~
28 ~~their participation is consistent with the requirements of medical necessity or the needs of a~~
29 ~~criminal investigation. The petitioner must show what reasonable, good faith efforts have~~
30 ~~been made to locate and serve the decedent's immediate family.~~

1 ~~C. The district court may order an autopsy if it finds that:~~

2 ~~1. The cause of death cannot be determined without an autopsy;~~

3 ~~2. Such determination is critical to a criminal investigation or required by medical~~
4 ~~necessity;~~

5 ~~3. No less invasive means is available for the investigation.~~

6 ~~D. After the district court has ordered an autopsy, the coroner may request the United~~
7 ~~States Public Health Service perform the autopsy, or may engage a private physician or~~
8 ~~other licensed health care provider to perform such service.~~

9 ~~E. If the ordered autopsy requires exhumation of a body, the coroner shall cause the body to~~
10 ~~be exhumed for examination and reburial after autopsy. The coroner may call upon the~~
11 ~~Navajo police for assistance in exhumation and reburial.~~

12
13 **§ 1853. Notification and Reporting of Deaths**

14 A. Any person subject to the jurisdiction of the Navajo Nation must promptly notify the
15 Navajo Nation Police Department of any death or dead body.

16 B. The Navajo Police Department shall promptly notify the Navajo Nation Department of
17 Medical Examiners of any death subject to investigation under this Act.

18
19 **§ 1854. Report**

20 ~~A. After inspecting the body and conferring with a physician, if the coroner is not himself~~
21 ~~or herself a physician, the coroner shall make a written report, in quadruplicate, stating the~~
22 ~~following facts:~~

23 ~~1. The name and census number of the dead person.~~

24 ~~2. When and where he or she died, and the circumstances of his or her death.~~

25 ~~3. What caused the death.~~

26 ~~4. Who caused the death, if caused by the act, whether criminal or not, of another~~
27 ~~person, or by gross negligence.~~

28 ~~5. An inventory of the property other than clothing of ordinary value found on the dead~~
29 ~~person.~~

1 6. If the coroner is not a physician, the name and address the physician he or she
2 consulted.

3 B. The coroner shall submit all copies of his or her report to the Police Captain of the
4 Navajo police district in which the death occurred. The Captain shall retain one copy and
5 forward the remaining three copies to the Chief of the Navajo police.

6
7 **§ 1854. Exhumations for Death Investigations**

8 A. When the Navajo Department of Medical Examiners concludes that the cause of death
9 cannot be determined without an exhumation of the body, the Chief Medical Examiner,
10 other medical examiners, medicolegal investigators, through a Navajo Nation prosecutor or
11 other legal counsel, may petition the district court of the Navajo Nation to order an
12 exhumation. Hearings on such petitions shall be held on an expedited schedule upon
13 showing of exigent circumstances including medical or Public Safety necessity.

14 B. The immediate family of the decedent shall be served with a copy of the petition and
15 shall be allowed to file objections, if their identity and whereabouts can be ascertained and
16 their participation is consistent with the requirements of medical or Public Safety necessity.
17 The petitioner must show what reasonable, good faith efforts have been made to locate and
18 serve the decedent's immediate family.

19 C. The district court may order an exhumation if it finds that:

- 20 1. The cause of death cannot be determined without an exhumation;
21 2. An exhumation is required for Public Safety or Medical Necessities; and
22 3. No less invasive means are available to determine cause of death or meet the
23 medical or Public Safety necessity.

24 D. The Navajo Department of Medical Examiners shall prescribe means for exhumation
25 that are minimally invasive under the circumstances and carry out the reburial following
26 the autopsy. The Department of Medical Examiners may call upon the Navajo Nation
27 Police for assistance in exhumation and reburial.

1 **§ 1855. Disposition of property found on body**

2 ~~It shall be the duty of the coroner to take possession of all property except clothing of~~
3 ~~ordinary value found on the person of anyone whose death he or she is required to~~
4 ~~investigate, and to turn property over to the District Police Captain with his or her report~~
5 ~~containing the inventory thereof. The District Police Captain shall deliver such property to~~
6 ~~the Court of the Navajo Nation after it has served any purpose it may have as evidence in a~~
7 ~~criminal prosecution arising out of the death, and the Court shall dispose of the same as~~
8 ~~part of the estate of the deceased or in such other manner as justice may require.~~

9
10 **§ 1855. Records and Reports**

11 A. The Chief Medical Examiner shall be responsible for maintaining complete and
12 thorough records and files that are properly indexed and searchable. At a minimum, the
13 record of every deceased person whose death is investigated shall contain:

- 14 1. The name, date of birth, and census number of the deceased (if known);
15 2. The place where the body was found;
16 3. The date, cause and manner of death;
17 4. An inventory of the property found on the deceased and the current disposition of
18 that property;
19 5. Any and all other relevant information and reports of the Navajo Department of
20 Medical Examiners concerning the death; and
21 6. A death certificate.

22 B. The records and reports generated and maintained by the Navajo Department of
23 Medical Examiners shall be:

- 24 1. promptly delivered to the appropriate Navajo Nation Law Enforcement Agency
25 upon completion; and
26 2. open to the inspection of the Navajo Nation Law Enforcement Agencies, the Navajo
27 Nation Office of the Prosecutor, the Federal Bureau of Investigations, and the
28 United States Attorney's Office, and any other law enforcement agency or official
29 with a legitimate interest.
30

1 C. The records maintained by the Navajo Department of Medical Examiners, or
2 reproductions certified by the Chief Medical Examiners, are admissible as evidence in any
3 Navajo Nation court.

4 D. Notwithstanding the Navajo Nation Privacy Act, the following persons and entities
5 shall have conditional access to the records of the Navajo Department of Medical
6 Examiners:

- 7 1. All federal, state, and/or tribal law enforcement or prosecutor's office for purposes of
8 criminal prosecution.
- 9 2. The executor or representative of the decedent's estate.
- 10 3. Next of Kin.
- 11 4. Insurance companies handling claims for decedent's family.
- 12 5. Hospitals, health clinics, and/or medical/treatment facilities that provided treatment
13 to deceased for purposes of updating their medical records.

14 E. The Navajo Department of Medical Examiners is authorized to access confidential
15 medical records (including, but not limited to, records of substance use and abuse) and any
16 relevant information from physicians, hospitals, nursing homes, residential care facilities,
17 and all other health care providers subject to the jurisdiction of the Navajo Nation. Any
18 violation could result in penalties under 2 N.N.C. §§ 91 and 92.

19
20 **§ 1856. Duty of person discovering body**

21 ~~It shall be the duty of every Navajo police officer upon learning that a person has~~
22 ~~apparently been killed on Navajo Nation land, or has apparently died on such land because~~
23 ~~of the criminal act or gross negligence of another, to notify a Navajo coroner of such fact~~
24 ~~immediately. It shall be the duty of any person other than a police officer making a~~
25 ~~discovery of a body to notify a Navajo police officer or coroner without delay.~~
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1 **SECTION FIVE. EFFECTIVE DATE; DIRECTIVE TO APPROVE PLAN OF**
2 **OPERATION**

3 A. This action of the Navajo Nation Council herein shall be effective pursuant to 2
4 N.N.C. § 221(B).

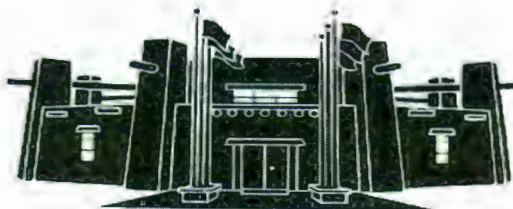
5 B. The Navajo Nation Council hereby directs the Law and Order Committee to approve
6 within 30 days a Plan of Operation for Navajo Nation Department of Medical Examiners
7 within the Division of Public Safety.

8
9 **SECTION SIX. CODIFICATION**

10 The provisions of these amendments of the Navajo Nation Code shall be codified by
11 the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate
12 such amendments in the next codification of the Navajo Nation Code.


13
14 **SECTION SEVEN. SAVINGS CLAUSE**

15 Should any provision of these amendments be determined invalid by the Navajo
16 Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the
17 Navajo Nation Supreme Court, those amendments that are not determined invalid shall
18 remain the law of the Nation.



MEMORANDUM

To : Hon. Kee Allen Begay, Council Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : October 5, 2018

Re : AN ACTION RELATING TO LAW AND ORDER; APPROVING A PLAN
OF OPERATION FOR NAVAJO NATION DEPARTMENT OF MEDICAL
EXAMINERS, DIVISION OF PUBLIC SAFETY

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 18-606-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0330-18_____ SPONSOR: Kee Allen Begay, Jr.

TITLE: An Action Relating to Law and Order; Approving a Plan of Operation for Navajo Nation Department of Medical Examiners, Division of Public Safety

Date posted: October 8, 2018 at 4:25pm

Digital comments may be e-mailed to 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) 871-7590

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.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0330-18

SPONSOR: Honorable Kee Allen Begay, Jr.

TITLE: An Action Relating to Law and Order; Approving a Plan of Operation for Navajo Nation Department of Medical Examiners, Division of Public Safety

Posted: October 08, 2018 at 4:25 PM

5 DAY Comment Period Ended: October 14, 2018

Digital Comments received:

| | |
|------------------------------|-------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing | <i>None</i> |
| Inconclusive Comments | <i>None</i> |



**Office Assistant
Office of Legislative Services**

10/15/2018 9:21am

Date/Time