

TITLE 1 - GENERAL PROVISIONS

CHAPTER 1-3 TRIBAL POLICE

1-3-0 ESTABLISHMENT

1-3-1 Purpose

The Tribal Council shall appoint a Chief Law Enforcement Officer and a Chief of Police of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (Tribes) upon such terms and conditions of employment as the Tribal Council shall direct.

1-3-2 Chief Law Enforcement Officer

The Chief Law Enforcement Officer shall be responsible for the performance of those duties and responsibilities as specifically defined in the Tribes' Gaming Code at CLUSITC 5-2-7 and 5-2-8.

1-3-3 Chief of Police

The Chief of Police shall coordinate the law and order program on the lands of the Tribes. The Chief of Police shall meet as necessary with the Tribal Council to discuss the law and order program and make recommendations for improving the efficiency of the program. The Chief of Police, in conjunction with the Tribal Administrator, shall review the law and order program and prepare annual budgets and shall administer funds used in the law and order program. Subject to the availability of funding, the Chief of Police, with the concurrence of the Tribal Administrator, shall establish such ranks and appoint and commission officers within the Tribal Police. The Tribal Administrator shall supervise the Chief of Police for budgetary and personnel issues. The Chief Law Enforcement Officer shall supervise the Chief of Police for all other matters. In situations where a conflict presents itself between the Tribal Administrator and the Chief Law Enforcement Officer, the Tribal Council shall supervise the Chief of Police.

1-3-4 Duties of the Chief of Police

- (a) To be responsible for and have charge over all Tribal Police functions within the jurisdiction of the Tribes.
- (b) To be in command of the Tribal Police Department, all Tribal Police Officers and Police Department employees.
- (c) To instruct, train and advise Tribal Police Officers in their functions, duties and responsibilities for the efficient maintenance of law and order on the lands of the Tribes.

- (d) To report to the Tribal Administrator and Tribal Council on Tribal Police activities that are not confidential.
- (e) To select and recommend persons for appointment to and dismissal from the Tribal Police force consistent with Tribal law.
- (f) To provide Tribal Police Officers to the Tribal Court to perform bailiff service, service of Court papers or transportation of prisoners if applicable.
- (g) To develop a Tribal Police Policy Manual to serve as a standard of conduct to insure the efficient maintenance of law and order on the lands of the Tribes.
- (h) To insure cooperation with other law enforcement agencies.
- (i) To do such other law enforcement related activities as the Tribal Council shall direct.
- (j) To designate an acting Chief of Police in his absence.

1-3-5 [Reserved for Expansion]

1-3-10 TRIBAL POLICE OFFICERS

1-3-11 Appointment

Tribal Police Officers shall be hired by the Chief of Police. The terms and conditions of employment shall be established by the Tribal Administrator in accordance with applicable law. All hiring of Tribal Police Officers shall be in accordance with the Tribes' Administrative Employee Manual.

1-3-12 Qualifications

The qualifications of Tribal Police Officers shall be as follows:

- (a) A sound physical and mental condition and ability to perform the required duties.
- (b) Attend the police academy if not currently certified.
- (c) High moral character and absence of conviction of a felony or Class A misdemeanor.
- (d) High school diploma or GED, twenty-one (21) plus years of age, and a U.S. citizen.

1-3-13 Duties

The duties of a Tribal Police Officer shall be:

- (a) To obey promptly all orders of the Chief of Police and/or the ranking police officers.

- (b) To report and investigate all violations of any law or regulation coming to the attention of the Tribal Police Department.
- (c) To use discretion as to when to arrest persons for violations of the laws and regulations of the Tribes when sufficient grounds exist for doing so.
- (d) To lend assistance to other peace officers.
- (e) To prevent, whenever possible, violation of the laws.
- (f) To be informed as to the Tribal Codes and all other laws and regulations applicable to the lands and jurisdiction of the Tribes and to attend such training sessions as the Chief of Police may direct.
- (g) To become familiar with and practice at all times principles of good and lawful police procedure.

1-3-14 Dismissal of Police

A Tribal Police Officer can be suspended or dismissed for noncompliance with the provisions of this Code or other violations of regulations, the Tribal Police Policy Manual, the Tribal Employee Manual, standing orders of the department or neglect of duty.

1-3-15 Deputizing

- (a) When authorized by Tribal Council, Tribal police may be deputized by another jurisdiction to aid in the effective law enforcement on the lands and jurisdiction of the Tribes.
- (b) When authorized by Tribal Council, law enforcement officers and other law enforcement personnel from other jurisdictions or other departments or enterprises of the Tribes may be deputized to aid in the enforcement of this Code.

1-3-16 Police Training

It shall be the goal of the Tribal Police to attract and retain experienced, professional Tribal Police personnel. To this end, the Chief of Police shall establish minimum standards of training, which all Tribal Police officers will be required to meet. Further, the Chief of Police shall explore, schedule and arrange periodic training and retraining programs for Tribal Police Officers from all available sources. Such programs shall stress not only basic police procedures and techniques, but shall also deal with crime prevention, community and public relations and other appropriate topics. Training is to be in compliance with the Oregon Department of Public Safety Standards and Training.

APPENDIX A

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

TRIBAL POLICE

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revision of the Tribal Police Code at a regular Tribal Council meeting, April 12, 2009, Resolution 09-043, Ordinance No. 042C. Vote was 6 (for), 0 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved the revision of the Tribal Police Code at a regular Tribal Council meeting, March 8, 2009, Resolution 09-033, Ordinance No. 042C. Vote was 7 (for), 0 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved and enacted the revision of the Tribal Police Code at a regular Tribal Council Meeting, Resolution No. 06-078, Ordinance No. 042B, on June 11, 2006. Vote was 7 (for), 0 (against), and 0 (abstaining). The revision was made in section 1-3-1-Purpose.

The Tribal Council of the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians approved the revisions and renumbering of the "Tribal Police" Code at a regular Tribal Council Meeting, Resolution No. 03-048, Ordinance No. 042A, on November 9, 2003. Vote was 6 (for), 0 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the "Tribal Police Code", Resolution No. 02-015, Ordinance No. 042, in a regular Tribal Council meeting, on January 13, 2002. Vote was 7 (for), 0 (against) and 0 (abstaining).