



Salt River Pima-Maricopa Indian Community

LAW ENFORCEMENT COMMISSION GUIDELINES

Amended September 13, 2006



**SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY
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SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY LAW ENFORCEMENT COMMISSION GUIDELINES

As amended September 13, 2006

I. ESTABLISHMENT

There is hereby established the Salt River Pima-Maricopa Indian Community Law Enforcement Commission (hereinafter 'The LEC').

II. PURPOSE

The purpose of the Law Enforcement Commission is to aid in the effective, efficient and objective provision of police and corrections services to members and residents of the Salt River Pima-Maricopa Indian Community (hereinafter "SRP-MIC"). The Salt River Police Department and the Department of Corrections shall cooperate with the Commission in performing its duties.

III. SCOPE AND AUTHORITY

- A. The Law Enforcement Commission shall assist the Salt River Pima-Maricopa Indian Community Police Department and the Department of Corrections by acting as a liaison with the Community in matters involving the SRP-MIC Police Department and the Department of Corrections' needs and concerns.
- B. The LEC shall accept complaints made against the Police Department and/or Department of Corrections.
- C. The LEC shall be responsible for responding to directives and inquiries from the Salt River Pima-Maricopa Indian Community Council.
- D. The LEC shall not have the authority to review personnel files, issue directives to or countermand directives from the Chief of Police, Director of Corrections or other law enforcement personnel in the day-to-day operations of the Police Department and Department of Corrections.
- E. The LEC may not inquire into matters of a sensitive nature that are currently under police investigation until the matter is resolved through the filing and prosecution of criminal charges or the termination of an investigation. The LEC may request the Chief of Police, the Director of Corrections or the Community Manager to verify the status of any ongoing police or corrections investigation.

IV. APPOINTMENT TO THE COMMISSION

- A. Applications for appointment to the Law Enforcement Commission shall be submitted to the LEC.
- B. The LEC shall review the applications to make sure the qualifications are met the LEC shall forward a list of qualified applications to the SRP-MIC Council and shall include recommendations.
- C. A Commissioner shall serve until the position is re-filled, unless removed or have resigned.
- D. Once appointed, the Commissioner shall execute the Law Enforcement Code of Ethics Statement. The signed statement shall be kept on file with the LEC.

V. COMPOSITION OF THE COMMISSION

Membership of the LEC shall represent both the Lehi and Salt River Districts and shall consist of seven (7) members. Membership shall be determined as follows.

- A. Five (5) members shall be enrolled members of the Salt River Pima-Maricopa Indian Community. One (1) member shall be from District I, and one (1) member shall be from District II. One (1) member shall be of senior age (55 years or older). One (1) member shall be between the ages of 21 and 25 years of age. One (1) member shall serve as a member-at-large. Each shall be appointed by a majority vote of the SRP-MIC Council.
- B. Two (2) members shall have had previously served in a law enforcement-related position and shall have left their position in good standing or shall currently serve in a law enforcement capacity in a jurisdiction other than the SRP-MIC. One such member shall have had supervisory experience in a law-enforcement related field. Each shall be appointed by a majority vote of the SRP-MIC Council.
- C. Law enforcement shall include police and corrections departments and shall include both sworn and non-sworn positions.
- D. In the event that the positions on the LEC cannot be filled due to lack of applicants, the LEC may recommend the selection of an applicant(s) in another category for Council's consideration.

VI. QUALIFICATIONS

Prior to being seated on the LEC, each person shall execute a sworn affidavit that certifies that s/he has:

- A. No current outstanding warrants from any jurisdiction or currently under investigation in any jurisdiction.
- B. No misdemeanor criminal history for the previous four (4) years in any jurisdiction.
- C. Never have been convicted of a felony from any jurisdiction.
- D. No more than two (2) moving traffic violations within the last year in any jurisdiction.
- E. Not been terminated from a Police Department, SRP-MIC Department of Corrections from any jurisdiction, for any reason; and,
- F. No termination from any place of employment for reasons involving moral turpitude.

VII. TERM OF OFFICE

- A. The LEC shall serve staggered terms in order to aid in continued expertise.
- B. All Commissioners shall serve a term of three (3) years.
- C. Commissioners shall serve until they are replaced or reappointed by the SRP-MIC Council in accordance with LEC guidelines.

VIII. OFFICERS

- A. Terms of Office – Officers will be elected by the LEC and will serve a one-year term. Officers will include a Chairperson, a Vice Chairperson, and a Secretary.
- B. Duties of the Officers
 - 1. Chairperson – the Chairperson shall call all meetings to order and preside at all meetings. The Chairperson shall be allowed to vote on all matters before the Commission.

2. Vice Chairperson – the Vice Chairperson shall preside in the event the Chairperson is absent.
3. Secretary shall be responsible for maintaining all minutes and records and will coordinate matters with the recording secretary.

IX. MEETINGS

- A. **Quorum** – Four (4) members shall constitute a quorum.
- B. **Regular Meetings** – Regular meetings shall be held at a minimum on a quarterly basis. These meetings shall be held, when possible, at a SRP-MIC conference room.
- C. **Special Meetings** – Special meetings may be called by the Commissioners or at the request of the Chief of Police or Director of Corrections to address emergency issues that cannot wait until the next duly scheduled meeting. Special meetings shall be held at the Police Department or Department of Corrections, if appropriate. Emergency situations may include, but are not limited to:
 1. Citizen's complaints involving allegations of assault or civil rights violations.
 2. Meetings called at the request of the Community.
- D. **Record of Meetings** – The recording secretary shall coordinate matters with the LEC secretary.
 1. The recording secretary shall record (either electronically or in writing) all actions and votes of the LEC.
 2. The recording secretary shall take minutes during all meetings, and keep all records of the minutes and all files of the LEC.
 3. All records, minutes and files shall remain property of the Salt River Pima-Maricopa Indian Community.

X. MANDATORY TRAINING

- A. Training shall be mandatory for all Commissioners and will be provided by police and/or corrections personnel, legal counsel and other pertinent agencies or SRP-MIC departments.
- B. Areas of training shall include, but not be limited to:

1. An overview of the criminal justice system, including the operation of the criminal justice system, the function and operation of the Police Department; the Department of Corrections; the Prosecutor's Office; the Defense Advocates Office; the Legal Services Office; the SRP-MIC Court, including the Probation Office; and the U.S. Attorney's Office.
 2. An overview of other SRP-MIC departments that coordinate services to Community members, such as Youth Services, Social Services Department, and the Education Department.
 3. Training on general police and corrections procedures, including arrest, search and seizure, evidence, custody, detention, corrections, handling of juveniles, patrol and use of force.
 4. Review and familiarization of the SRP-MIC Police Department and Department of Corrections Operational Orders.
 5. Training in general and specific jurisdictional issues.
 6. Management and philosophy of the Police Department and the Department of Corrections, including training in police and corrections administration, organization, recruiting and hiring practices, chain of command, supervision, discipline, grievance and appeal procedures, and issues related to job stress.
 7. Any other training appropriate to the functions of the LEC.
- C. Commissioners are required to participate in the SRP-MIC Police Department's ride-along program with a police officer for a four (4) hour period at the beginning of one's appointment to the LEC and on an annual basis thereafter, upon the signing of a release of liability.

XI. DUTIES AND RESPONSIBILITIES

In order to fulfill the purposes of the Law Enforcement Commission to assist in the betterment of law enforcement services to the Salt River Pima-Maricopa Indian Community, the LEC shall have the following responsibilities:

- A. **Monitoring Community and Cultural Orientation of New Employees** - The LEC shall be responsible for reviewing and monitoring an orientation program for new police and corrections staff and officers. Orientation shall include a history of the Salt River Pima-Maricopa Indian Community, cultural and community awareness, and a tour through the HooHoogam Ki Museum.

- B. **Conduct Semi-Annual Needs Assessment** – In order to assist the Police Department and the Department of Corrections in meeting the needs of the Community, the LEC shall conduct a needs assessment twice a year. The Chief of Police and the Director of Corrections shall assist the LEC in gathering data.
 - 1. Areas to be reviewed shall include department staffing, police and corrections equipment and Community needs.
 - 2. The information gathered may be used by the Police Department and the Department of Corrections in preparation of an annual and/or supplementary budget, or other similar needs.
- C. **Report to the SRP-MIC Council on a Semi-Annual Basis** – The LEC shall prepare and present a written or oral report to the SRP-MIC Council twice a year regarding activities, Community needs, departmental needs. The report shall also include any recommendations that the LEC may have.
- D. **Conduct Semi-Annual Meetings With the SRP-MIC Community** – The LEC shall hold meetings on a semi-annual basis in Districts I and II.
 - 1. The meetings shall be attended by all Commissioners and may be held in conjunction with other governmental meetings, such as SRP-MIC Council District meetings.
 - 2. Notice of such meetings shall be posted at least two (2) weeks prior to the actual meeting in conspicuous places in the Community.
- E. **Review of Operational Orders** – The LEC shall annually review the Operational Orders of the Police Department and the Department of Corrections consistent with the purpose and scope of the LEC and with current law enforcement, human resources and customs of the Community.

XII. THE LAW ENFORCEMENT COMMISSION SHALL RECEIVE CITIZEN COMPLAINTS

The LEC shall accept written and signed complaints from Community members regarding the SRP-MIC Police Department and/or the Department of Corrections.

- A. All complaints received shall be in writing stating the event; the date(s) of occurrence; names of parties; names of witnesses; actions taken to try to resolve the issue and the relief sought. The complaint shall indicate the date received and by whom. A copy of the signed complaint must be given to the Chief of Police or Director of Corrections, and all Law Enforcement

Commissioners immediately. An individual may seek assistance from others, including Commissioners, in writing a complaint.

1. A Commissioner may assist an individual in completing a written statement. If a Commissioner assists an individual in completing a complaint, assistance shall be limited to writing statements verbatim, without inserting the Commissioner's personal views or conclusions.
 2. If a Commissioner assists an individual in preparing a complaint, the session shall be recorded on audiotape and the tape shall be preserved for two (2) years by the secretary of the LEC.
 3. Once the statement is prepared, the individual shall sign a statement stating that assistance was sought and that the individual has read and understands the statement and agrees to its content.
- B. The LEC will inquire into the nature of the complaint and determine the seriousness of the complaint,
1. If the LEC finds that the issue can be resolved in a timely manner, without further investigation the LEC may direct the Chief of Police or Director of Corrections to resolve the matter.
 2. If the LEC deems the matter to be of a more serious nature, including complaints involving allegations of assault, civil rights violations, or repetitive complaints against a single officer the LEC may appoint a member(s) of the LEC to conduct an inquiry. The inquiry may include interviewing parties involved, reviewing reports and public documents and meeting with the Chief of Police/Director of Corrections or his designee in an attempt to resolve the matter.
 3. At any time after a citizen complaint has been filed, the LEC may direct the Chief of Police or the Director of Corrections to review the issue and report back to the LEC.
- C. The LEC shall make recommendations to the Chief of Police/Director of Corrections as to possible solutions to the matter if so warranted.
- D. The LEC, without revealing any confidential information, shall communicate in writing, any findings and recommendations to the complainant.

XIII. COORDINATING SERVICES

The LEC shall assist in coordinating communication and, to an extent services within the SRP-MIC criminal justice system in an effort to alleviate any problems

with the delivery of services. This shall include meeting with judiciary as well as various departments as needed.

XIV. GENERAL

Nothing in these provisions is meant to provide the LEC with law enforcement authority.

XV. COMPENSATION OF COMMISSIONERS

A. Commissioners shall be compensated at a rate determined by the LEC and within the parameters of those rates established for SRP-MIC-authorized Boards and Commissions including required ride-alongs, special meetings, and LEC sanctioned trainings and events. The SRPMIC Council shall have final authority to approve any changes in compensation rates.

B. Commissioners must attend full meetings in order to receive full compensation or receive approval from the LEC to be excused from portions of meetings. This shall include required attendance at such events as regular and special meetings, scheduled ride-alongs, trainings and hearings. Compensation shall not be allowed for attendance at SRPMIC Council meetings.

XVI. LEGAL COUNSEL

A. Legal counsel shall provide legal representation to the LEC as requested.

B. Commissioners shall determine the scope of work necessary for legal counsel and will set a rate of compensation based on the extent of legal services needed by the LEC.

C. Legal counsel is not a member of the LEC.

XVII. CONFLICT OF INTEREST

A. Where a complaint has been filed, no Commissioner shall act on a matter in which s/he is related to one of the parties by blood or marriage, or has a continual or existing personal or business relationship with one of the parties.

B. A Commissioner is required to disclose a conflict or potential conflict of interest.

- C. Providing assistance to community members by taking down a verbatim statement shall not be construed as a conflict of interest, consistent with Section XII A, above.

XVIII. REMOVAL

- A. A Commissioner shall be removed for any act that would prevent him/her from being eligible to be appointed to the LEC.
- B. A Commissioner may be removed for misconduct or unethical behavior, such as committing a violation of confidentiality in hearing and reviewing cases or having three (3) consecutive unexcused absences. By a majority vote, the LEC shall make a recommendation to the SRP-MIC Council for the removal of a Commissioner(s). The SRP-MIC Council shall make a final decision on removal of Commissioners.
- C. The SRP-MIC Council shall have the authority to remove a Commissioner for one of the above stated reasons upon a majority vote.

XIX. RESIGNATION

Resignation of a Commissioner shall be made and delivered to the LEC or the Community Manager. The LEC shall bring it to the attention of the SRP-MIC Council at the next duly scheduled meeting.

XX. AMENDMENT

These guidelines may be amended by the SRP-MIC Council upon recommendation of the Law Enforcement Commission.