

RESOLUTION OF THE
LAW AND ORDER COMMITTEE OF
THE NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL—Second Year, 2016

AN ACTION RELATING TO LAW AND ORDER COMMITTEE; DIRECTING THE NAVAJO NATION PRESIDENT AND THE NAVAJO DIVISION OF PUBLIC SAFETY EXECUTIVE DIRECTOR TO PROMPTLY HIRE A POLICE CHIEF WITHIN THIRTY (30) DAYS

BE IT ENACTED:

SECTION ONE: AUTHORITY

- A. The Law and Order Committee (LOC) is a standing committee of the Navajo Nation Council and has legislative oversight over law enforcement to enhance the operations and coordination of all departments within the Navajo Division of Public Safety (NDPS) in order to increase the availability, quality, and effectiveness of public safety services; and to enable the Navajo Nation to more effectively provide efficient public safety services on the Navajo Nation. 2 N.N.C. §§ 600(A), 600(C), 600(C)(5)-(6), and 1355.
- B. The LOC of the Navajo Nation Council reviews and makes recommendations to the Navajo Nation Council proposed amendments to the Navajo Nation Code and exercises oversight over the NDPS. 2 N.N.C. §601(C)(1).

SECTION TWO: FINDINGS

- A. Diné Customary Law declares and teaches that, "[i]t is the right and freedom of the people that every child and every elder be respected, honored and protected with a healthy physical and mental environment, free from all abuse. See 1 N.N.C. §203(D).
- B. The Department of Law Enforcement Chief of Police position has been vacant for a number of years.

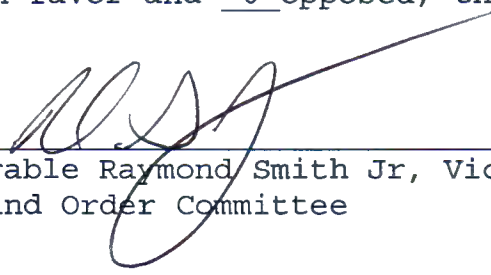
- C. Since the inauguration of the Navajo Nation President and Vice-President, the Division of Human Resources has been unsuccessful in recommending a candidate who meets all the required qualifications necessary to fill the Chief of Police position; the NDPS Executive Director serves at the pleasure of the Navajo Nation President. See 2 N.N.C. § 1353.
- D. The Executive Director shall exercise full authority and control over all division activities and shall be responsible for the selection and supervision of all department directors and all personnel, including delegation of authorities. See 2 N.N.C. § 1353.
- E. The purpose of the NDPS is to exercise control and authority over all law enforcement and public safety activities within the Navajo Nation and adjoining Indian Country as designated under Navajo, federal and other applicable laws where the Navajo Nation exercises jurisdiction; the Department of Law Enforcement is a department within the Navajo Division of Public Safety. See 2 N.N.C. § 1352(A) (2).
- F. The objective of the NDPS is to maintain law and order by the enforcement of applicable criminal laws and safeguarding of the lives and properties of the Navajo People. See 2 N.N.C. § 1352(B) (1).
- G. All NDPS personnel shall be subject to the Navajo Nation Personnel Policies and Procedures and other applicable grant or contract provisions. 2 N.N.C. § 1353.
- H. It is imperative that the Department of Law Enforcement Chief of Police position be filled due to the number of issues arising within the Navajo Nation (*i.e.*, Amber alert system and public safety concerns being raised within the communities).
- I. The Navajo Nation hereby finds it is in the best interest of the Navajo People to direct the Navajo Nation President and Vice-President and the NDPS Executive Director Mr. Jesse Delmar select and hire a Chief of Police within thirty (30) days.

SECTION THREE: DIRECTIVE TO SELECT THE CHIEF OF POLICE

- A. The Navajo Nation Law and Order Committee hereby directs the Navajo Nation President and Vice-President and the Navajo Division of Public Safety Executive Director, Mr. Jesse Delmar, hire a Department of Law Enforcement Chief of Police within thirty (30) days.
- B. The Navajo Nation Law and Order Committee hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, and their designees, to advocate for the pressing need to hire a Department of Law Enforcement Chief of Police.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the Navajo Nation Council at duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 13th day of June, 2016.



Honorable Raymond Smith Jr, Vice-Chairperson
Law and Order Committee

Motioned: Honorable Otto Tso
Seconded: Honorable Jonathan Perry