

## CHAPTER 1-3 IATCMFR Marshals function

### AUTHORITY OVER POLICE FUNCTION

#### 1-3-1 Council

The Council shall have ultimate responsibility for and command over the **IATCMFR Marshals**. The Council may appoint any of its members to be responsible for tribal police business and such members shall keep themselves informed regarding tribal police matters and report thereon to the Council. The Council shall appoint a Chief **IATCMFR Marshal** upon such terms and conditions of employment as they shall direct. The Chief **IATCMFR Marshal** with the concurrence of the Council shall establish such ranks and appoint marshals thereto within the tribal police as are deemed necessary.

#### 1-3-2 Law and Justice Committee

The Indigenous Aboriginal Council shall coordinate the law and order program on the Reservation. It shall meet with the Chief **IATCMFR Marshal** and Tribal members to discuss the law and order program and make recommendations for improving the efficiency of the program. It shall review the program and prepare budgets and shall administer funds used in the law and order program with the consent of the IATCMFR Council.

### CHIEF **IATCMFR MARSHAL**

#### 1-3-30 Duties

The duties of the Chief **IATCMFR Marshal** shall be as follows:

- (a) To be responsible for and have charge over all tribal marshal functions on/off the tribal land, continental lands and abroad.
- (b) To be in command of all tribal marshals and employees.
- (c) To instruct, train and advise tribal marshals in the functions, duties and responsibilities of tribal marshals for the efficient maintenance of law and order on the Reservation.
- (d) To report to the Council on marshal activities.
- (e) To recommend to the Council persons for appointment to and dismissal from the tribal marshals.
- (f) To provide tribal marshals to the Tribal Court to perform bailiff service, transportation of prisoners and service of Court papers.
- (g) To adopt reasonable regulations for police officers to serve as a standard of conduct to insure the efficient maintenance of law and order.
- (h) To insure cooperation with other law enforcement agencies.

- (i) To do such other law enforcement related activities as the Council shall direct.
- (j) To designate acting Chief Tribal Marshal to serve as Chief Tribal Marshal in his absence.

## **Tribal Marshals**

### 1-3-60 Appointment

Tribal Marshals shall be hired upon such terms and conditions of employment as the Council shall direct. The Council shall receive the recommendation of the Chief Tribal Marshal prior to hiring anyone to be a police officer.

### 1-3-61 Qualifications

The qualifications of Tribal Marshals shall be as follows:

- (a) A sound physical and mental condition and sufficient size and strength to perform the required duties.
- (b) A willingness and ability to attend Tribal Marshals training courses as a condition to hiring and continued employment.
- (c) High moral character and absence of conviction of a felony or Class A offense or any other offense within one year prior to appointment.
- (d) Preference in hiring shall be given to high school graduates in situations where qualifications are otherwise similar.

### 1-3-62 Duties

The duties of a Tribal Marshals shall be:

- (a) To obey promptly all orders of the Chief Tribal Marshal, ranking Tribal Marshals or Tribal /Common Law judge of the Court when assigned to Court duty.
- (b) To report and investigate all violations of any law or regulation coming to his attention.
- (c) To arrest all persons for violations of the laws and regulations when sufficient grounds exist for doing so.
- (d) To lend assistance to other officers.
- (e) To prevent, whenever possible, violation of the laws.
- (f) To inform himself as to the Tribal Law and Order Code and all other laws and regulations applicable to the Reservation/continental America and abroad. Attend such training sessions as the Council or Chief may direct
- (g) To become familiar with and practice at all times principles of good Tribal Marshals procedure.
- (h) To use no unnecessary force or violence in making an arrest, search or seizure.

- (i) To abstain from the use of narcotics or the excessive use of alcohol and to refrain from engaging in any act which would reflect discredit on the Tribes or the tribal police.
- (j) To refrain from the use of profane, vulgar, insolent or offensive language.
- (k) To report to his superior Marshals all deaths or accidents of a serious nature or other events or impending events of importance.
- (l) To keep all equipment furnished by the Tribes or other government in good repair and order and to report immediately the loss of any or all such property.
- (m) To obey all regulations which the Chief Tribal Marshal shall adopt.

#### 1-3-63 Dismissal of Tribal Marshals

A Tribal Marshals can be suspended or dismissed for non-compliance with the provisions of this Code or other violations of regulations or neglect of duty.

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#### 1-3-64 Deputizing

Tribal Marshals may be deputized by another jurisdiction to aid in the effective law enforcement on the Reservation/Continental American, Law enforcement officers and other law enforcement or security related personnel from other jurisdictions or other departments or enterprises of the Tribes may be deputized to aid in the enforcement of this Law and Order Code.

#### 1-3-65 Tribal Marshals Training

It shall be the goal of the Tribal Marshals to attract and retain experienced professional Tribal Marshal Personnel. To this end the Council and the Chief Tribal Marshals shall establish minimum standards of training which all Tribal Marshals will be encouraged to meet. Further, the Chief Tribal Marshals shall explore, schedule and arrange periodic training and retraining programs for Tribal Marshals from all available sources. Such programs shall stress not only basic Tribal Marshals procedures and techniques but shall also deal with crime prevention, community and public.