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LAW ENFORCEMENT DIVISION
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TITLE 24
LAW ENFORCEMENT DIVISION

CHAPTER ONE

Section 101. Establishment of a Tribal Police Force.

There is hereby established a Tribal Law Enforcement Department within the Tribal Administration to be known as the Seminole Nation of Oklahoma Lighthorse Police Department. It shall be the duty of all employees assigned to the Seminole Nation of Oklahoma Lighthorse Police Department to serve the public by enforcement of the Tribal laws and other applicable laws in addition to rendering such assistance relative to law enforcement as may be necessary and to protect all persons and property within the Tribal jurisdiction from criminal activities.

Section 102. Jurisdiction.

The jurisdiction of the Seminole Nation of Oklahoma Lighthorse Police Department will extend to the enforcement of all laws enacted by the Tribal Council of the Seminole Nation of Oklahoma and protection of all persons and property located within the boundaries of property owned by the Seminole Nation of Oklahoma which is held in trust by the United States.

Section 103. Composition.

The Seminole Nation of Oklahoma Lighthorse Police shall be composed of officers qualified to serve under the Code of Federal Regulations and Chapter 2 of this Code. The officers shall be designated by title according to rank based upon length of service, experience and training. It shall be the duty of the Police Chief to review job descriptions on an annual basis and to update as necessary to ensure proper delivery of services. The positions Titles shall include, but is not limit to:

- (a) Police Chief.
Supervise all activities and manages the Law Enforcement Program
- (b) Assistant Chief of Police.
Supervise Police Officers and their duties.
- (c) Police Officer I.
Patrols and investigates actions. May supervise.
- (d) Police Officer II.
Patrols and investigates.
- (e) Police Officer III.

Patrols

(f) Police Officer IV.

Administrative Assistant.

(g) Criminal Investigator.

Investigates criminal reports/activities.

Section 104. Authority of Commissioned Personnel.

All sworn personnel of the Lighthouse Police Department are authorized to:

- (1) Carry firearms.
- (2) Execute or serve warrants, summonses or other orders relative to a crime committed in their jurisdiction.
- (3) Make an arrest without a warrant for an offense committed within their jurisdiction if-
 - (a) The offense is committed in the presence of the officer, or
 - (b) The offense is a felony and the officer has reasonable grounds to believe that the person to be arrested has committed, or is committing, the felony.
- (4) Offer and pay a reward for services or information, or purchase evidence, assisting in the detection or investigation of the commission of an offense committed in Indian Country or in the arrest of an offender against the United States.
- (5) Make inquiries of any person, and administer to, or take from any person, an oath, affirmation or affidavit, concerning any matter relevant to the enforcement or carrying out in Indian Country of a law of either the United States, an Indian Tribe, or State and/or its political subdivisions, that has authorized the officer to enforce or carry out their Tribal laws.
- (6) Wear a prescribed uniform and badge or carry prescribed credentials.
- (7) Perform any other law enforcement related duty.
- (8) When requested, assist (with or without reimbursement) any Federal, Tribal, State or local law enforcement agency in the enforcement or carry out of the laws or regulations the agency enforces or administers.

Section 105. Authority of Chief of Police.

The Chief of the Lighthouse Police Department has the ultimate responsibility for managing and operating the law enforcement program on a day-to-day basis.

Section 106. Commission Cards and Identification Cards.

Each Law Enforcement Division, Support Enforcement Division Officer and Chief of Police shall, upon taking their oath of office and thereafter as an individual's rank changes, or at intervals decided by Police Regulation, be issued a commission card containing, at a minimum, the officer's photograph, name rank, badge number, the fact that the officer is authorized to carry firearms and make arrests, the fact that such person is a commissioned law enforcement officer of the Seminole Nation of Oklahoma Lighthorse Police Department and the signatures of the Principal Chief and the Chief of the Lighthorse Police Department.

Every member of the Seminole Nation of Oklahoma Lighthorse Police Department shall carry their commission (or other identification in the case of non-commissioned employees) with them at all times when on active duty, and shall, as soon as reasonably practicable under the circumstances, exhibit such commission or identification and give their name, rank and badge number upon request of any person.

Section 107. Demotion or Termination Based on Qualifications

Any Police Officer who has not successfully completed the training requirements set forth in this Code within the allotted time, shall be terminated, provided that funds were available for the required training.

Section 108. Chain of Command.

All Police Officers shall report directly to the Police Chief who shall have the authority to employ, supervise, discipline, or terminate the Officers of the Seminole Nation Lighthorse Police Department. The Police Chief shall be subject to the authority of the Principal Chief of the Seminole Nation of Oklahoma. To ensure stability in services, the Police Chief cannot be removed from office or demoted as the result of a change of the Principal chief. It shall be the duty of the Police Chief to ensure only lawful orders are followed.

Section 109. Code of Conduct.

The Seminole Nation of Oklahoma Lighthorse Police Department shall function pursuant to a Code of Conduct which shall prescribe specific rules concerning conflicts of interest, employee conduct both on and off duty, impartiality and thoroughness in performance of duty and acceptance of gifts or favors. The code shall ensure that certain standards of conduct are included which will require each law enforcement officer to be capable of performing that officer's duties to the greatest extent possible.

Section 110. Oath of Office.

All personnel, prior to assuming sworn status, take and subsequently abide by an oath of office to enforce the law, uphold the U.S. Constitution and the Seminole Nation of Oklahoma Constitution.

Section 111. Authority to Make Regulations.

The Chief of the Lighthorse Police Department is hereby authorized and empowered to make any useful or necessary rule or regulation, not inconsistent with any other provision of Tribal Law or the Indian Civil Rights Act, to promote the efficient, safe and honest conduct of the activities of the Department. Every such rule or regulation shall be filed for record in the office of the Tribal Secretary prior to becoming effective and shall be maintained in the form of a Law Enforcement Handbook. A copy of every such rule and regulation shall be delivered to the Principal Chief at or prior to the time of filing. The Principal Chief may vacate or modify any such rule in writing. Objections may be appealed to the Review Board and subsequently, to the Court.

Section 112. Cross-Deputation.

Any person regularly employed as a law enforcement officer by the Federal Government, the State of Oklahoma or any of its political subdivisions, or any Indian Tribe who would meet the minimum qualifications for entry as an officer in the Lighthorse Police Department may receive a Special Tribal Police Officer Commission upon the recommendation of the Chief of the Lighthorse Police and Principal Chief. Such special commission shall entitle the bearer thereof to exercise the powers and duties of a member of the Lighthorse Police Department when their assistance is requested within the Tribal jurisdiction by any Tribal officer. Such officers shall be under the supervision of regular members of the Lighthorse Police Department while actively involved in providing assistance within the Tribal jurisdiction and shall be entitled to all the authority and immunities of a member of the Lighthorse Police Department in such situations.

Commissions are to be issued only when a legitimate law enforcement need requires issuance. Commissions are not to be issued solely for the furtherance of inter-agency or public relations.

All recipients of Special Law Enforcement Commissions must meet the following standards:

- (a) Be at least 21 years old.
- (b) Meet respective state Peace Officer Standards and Training requirements for certification as a bona fide full-time peace officer and have written proof of such certification. Federal law enforcement applicants must produce evidence of federal law enforcement officer certification.
- (c) Within the period immediately preceding the issuance of the commission, must have passed their department's firearms qualifications and continue to be certified semi-annually.
- (d) Has not ever have been convicted of a felony, nor within the one year period immediately preceding the issuance of the commission, has not been convicted of a misdemeanor offense, with the exception of minor traffic offenses, nor been convicted of misdemeanor domestic violence preventing him or her from possessing a firearm in compliance with Section 658 of Public Law 104-208 (the 1996 amendment to the Gun Control Act of 1968), and has not been the subject of a court order prohibiting him from possessing a firearm.
- (e) Has no physical impairments that will hinder his/her performance as an active law enforcement officer.

(f) Tribal and contract officers shall meet the minimum standards established for BIA officers.

Officers of the Enforcement Division and Support Division of the Lighthorse Police Department may accept, with the approval of the Chief of the Lighthorse Police, similar special or deputy commissions from other Indian Tribes in Oklahoma, the State of Oklahoma and any of its political subdivisions and the Federal Government for which they are qualified.

All Enforcement Division Officers are encouraged to qualify for and receive a Special Law Enforcement Commission from the Bureau of Indian Affairs.

The Chief of the Lighthorse Police and the Principal Chief may enter into necessary agreements with other Indian tribes, States and any of their political subdivisions or the Federal Government to facilitate cross-deputizations.

Section 113. Support Enforcement Division (Reserve Officer Program).

The Chief of the Lighthorse Police Department may include a Reserve Officer Program to enhance the delivery of services provided that:

- (a) The selection criteria for reserves are the same as that for full-time officers.
- (b) All sworn reserve officers must complete a recruit academy training program comparable to that completed by full-time officers, prior to any routine assignment in any capacity in which the reserve officer is allowed to carry a weapon or is in position to make an arrest, except as part of a formal field training program.
- (c) Uniforms and equipment for reserve officers are the same as those for full-time officers performing like functions.
- (d) Reserve officers receive in-service training equivalent to that required for full-time officers performing like functions.
- (e) Reserve officers are trained in use-of-force policy(s) and tested for firearms proficiency with the same frequency as full-time officers.
- (f) Reserve officers are bonded and/or provided with public liability protection equal to that provided to full-time officers.

Section 114. Auxiliary Programs.

The Lighthorse Police Department may include an Auxiliary Program. The Chief of the Lighthorse Police Department shall ensure that:

- (a) Auxiliaries are not commissioned with sworn officer status.
- (b) The duties which auxiliaries may perform are identified.
- (c) Auxiliaries receive training in those duties identified.

(d) If auxiliaries wear uniforms, the uniforms clearly distinguish them from sworn officers.

Section 115. Volunteers.

The Chief of the Lighthorse Police Department has the authority to utilize volunteers to provide services. The volunteers shall serve without monetary compensation for their services rendered. The Chief of the Lighthorse Police Department shall develop a written plan for volunteer services that specifies:

- (a) The lines of authority.
- (b) Responsibility and accountability of volunteers.
- (c) Procedures for screening and selection of volunteers who provide services to the program on a regular basis.
- (d) The provision of training to volunteers, appropriate to the nature of their services.
- (e) That volunteers agree to abide by all program rules, policies, procedures and practices.
- (f) That the Chief of the Lighthorse Police Department may discontinue a volunteer activity at any time by written notice.

Section 116. Review Board.

The Review Board shall be composed of the Assistant Principal Chief, the Chief of the Lighthorse Police Department and one Officer selected from within the Law Enforcement Division by the Principal Chief. The Review Board shall have the authority to hear complaints arising from discipline or termination and to investigate and rule on police actions.

Section 117. Mutual Aid Agreements.

The Chief of the Lighthorse Police Department, with the approval of the Principal Chief, shall have the authority to enter into written agreements with neighboring law enforcement agencies to provide mutual aid in emergency situations. The mutual aid agreement must include, at a minimum the following details:

- (a) The legal status of law enforcement agencies and their personnel responding to mutual aid requests.
- (b) Procedures for vesting responding personnel with the legal authority to act within the agency's jurisdiction.
- (c) Procedures for requesting mutual aid.
- (d) Identify of those persons authorized to request mutual aid.

- (e) Identify of those persons to whom outside personnel are to report.
- (f) Procedures for maintaining radio communication with outside personnel.
- (g) Expenditures, if any, which should be borne by the law enforcement program to compensate for the use of the responding agency's resources.
- (h) Procedures for review and revision if prescribed in the agreement.

CHAPTER TWO REQUIRED TRAINING AND EQUIPMENT

Section 201. Required Police Training.

It shall be the duty of the Chief of the Lighthorse Police Department to maintain from time to time as circumstances require and permit classes of instruction for the members of the Law Enforcement Division. Such classes shall familiarize the policemen with the manner of making searches and arrests, the proper and humane handling of prisoners, the keeping of records of offenses and police activities, and with court orders and legal forms and the duties of the police in relation thereto, and other subjects of importance for efficient police duty. It shall further be the purpose of the classes to consider methods of preventing crime and of securing cooperation with the citizens of the Tribe, other residents of the tribal jurisdiction and surrounding communities in establishing better social and governmental relations.

(a) Newly employed Police Officers of the rank of Police Officer I, Police Officer II, Police Officer III, or Police Officer IV shall successfully complete, prior to or within their first year of service in that rank, the approved Basic Training Police Training Course conducted at the Indian Police Academy or the Tribal Basic Peace Officer Certification or a similar course substantially meeting or exceeding the level of training provided by the Indian Police Academy. An officer who fails to complete the training required by this paragraph, except for lack of Tribal funds to pay such training or the unavailability of such training, shall be discharged or transferred to a position in the Administrative Division. Transfer may result in demotion.

(b) Newly employed Police Officers of the rank of Assistant Chief of Police shall successfully complete, prior to or within their first year of service in that rank, the approved Supervisory Enforcement Officer Training Course conducted at the Indian Police Academy or a similar course substantially meeting or exceeding the level of training provided by the Indian Police Academy and approved by the Bureau of Indian Affairs. An officer appointed to such rank who fails to complete the training required by this paragraph, except for the lack of Tribal funds to pay for such training or the unavailability of such training, shall be discharged or transferred to a non-supervisory position. Transfer may result in demotion.

(c) Newly employed Police Officers of the rank of Chief of Police shall successfully complete, prior to or within their first year of service in that rank, the approved Executive Management Course of Training conducted at the Indian Police Academy or a similar course substantially meeting or exceeding the level of training provided by the Indian Police Academy and approved by the Bureau of Indian Affairs. An officer appointed to such rank who fails to complete the training required by this paragraph, except for the lack of Tribal funds to pay for such training or the unavailability of such training, shall be discharged or transferred to a non-supervisory position. Transfer may result in demotion.

(d) The provisions of this Section shall not apply to the personnel in the Administrative Division, the Support Division or special officers except as otherwise provided in the Title or by regulation or the Lighthorse Police Department. Unless otherwise prohibited by Lighthorse Police Departmental regulation or federal funding requirements, completion of equivalent tribal, state or federal training programs shall, upon approval by the Chief of

Lighthorse Police and the Principal Chief of the Seminole Nation, constitute compliance with this section.

Section 202. Provision of Uniforms.

The Lighthorse Police Department shall provide for the clothing and equipment, including firearms, used by employees in performing law enforcement functions. The Chief of Police shall develop procedures for the provision of clothing, equipment and firearms. At a minimum, the uniforms, when worn, shall positively identify the wearer as a law enforcement officer. The Badge, nameplate and tribal identification patch shall be visible at all times. Uniforms of each Division of the Lighthorse Police Department shall be plainly and easily distinguishable, even at a distance.

Section 203. Firearms Training.

The firearms training for authorized personnel shall include, at a minimum, courses of fire approved by N.R.A., C.L.E.E.T. or the Federal Law Enforcement Training Academy and shall be conducted at least twice each twelve months. Records of training shall be maintained in the individuals personnel file.

Section 204. Firearms and Ammunition.

The guidelines for the type of firearms and ammunition authorized to be carried and used are as follows:

I. Handguns

1. Only handguns of authorized caliber's and manufacture are permitted as a primary weapons. The following caliber's and manufactures are authorized for duty use:
 - (a) .38+p
 - (b) 9mm Parabellum
 - (c) .45 ACP
 - (d) .40 cal.
 - (e) Other caliber's approved in writing by the Chief of the Lighthorse Police Department.
 - (f) Approved Brands Are: Smith & Wesson, Glock, Beretta, Sig Sauer, Colt, Ruger, Charter Arms, Walther & Heckler & Koch.
2. Handguns must function in a double action mode for the first round.
3. Handguns must have a minimum five round capacity.

4. The handgun must be registered with the program. The handgun must be examined by a programs firearms armorer or firearms instructor and found to be safe and reliable. The handgun registration record is kept with the officer's personnel file.
5. The program will furnish or authorize ammunition for program sponsored training and duty use for all authorized handguns. Only program furnished or authorized ammunition will be carried.
 - (a) The projectile (bullet) must weigh at least 75 grains,
 - (b) Have a minimum advertised muzzle velocity of 750 feet per second,
 - (c) Be of a hollow point design and
 - (d) Be factory loaded and supplied by a manufacturer with a reputation of proven reliability
6. Armor piercing and other loads deviating from the above standards are not to be utilized except in extraordinary circumstances as authorized by a supervisor.

II. Shotguns and Ammunition

1. Shotguns authorized for use by officers meet the following criteria:
 - (a) 12 gauge with no less than 18 inch barrel
 - (b) Have at least a 5 shell capacity with repeating capability
 - (c) Capable of being combat loaded
2. Shotgun ammunition meets the following criteria:
 - (a) Buckshot and rifled slugs are authorized for normal duty purposes.
 - (b) Shotgun ammunition must be factory loads with proved reliability.
 - (c) Specialty ammunition, i.e., bean bag rounds, rubber bullet, sabot rounds or gas rounds may be carried by officers trained in their use and upon authorization of the Chief of the Lighthorse Police Department.

III. Rifles and Ammunition

1. Any officer wishing to carry a rifle must have the express written approval of the Chief of the Lighthorse Police Department.

2. Rifles authorized for duty use must meet the following criteria:
 - (a) The rifle shall have a barrel of 16 or more inches in length
 - (b) Only rifles firing 9MM, 45, .223, .308, or 30-06 calibers shall be authorized
3. Rifle ammunition must meet the following criteria:
 - (a) High velocity, soft nose or hollow point
 - (b) The ammunition must be factory loads with proven reliability
 - (c) Specialty ammunition, i.e., rubber bullet, sabot rounds or gas rounds may be carried by officers trained in their use and upon authorization of the Chief of the Lighthouse Police Department.

Section 205. Use of Firearms.

(a) A firearm may be discharged in the line of duty only when in the considered judgment of the officer there is imminent danger of loss of life or serious bodily injury to the officer or to another person, or when the officer is attempting to apprehend a fleeing person who has committed a felony or a which resulted in the death or serious bodily injury of another person in the presence of the officer and of other reasonable means will prevent escape, or when the person is an escaped felon convicted of an offense which involved the death or serious bodily injury of another and no other reasonable means will prevent escape.

(b) The weapon may be fired only for the purpose of rendering the person at whom it is fired incapable of continuing the activity prompting the officer to shoot. The firing of warning shots is prohibited. This policy does not apply to the use of firearms to participate in official marksmanship training, the private use of firearms in target practice at the police range or other target range while off duty, the private use of firearms while hunting while off duty, or the use of firearms, whether on or off duty to kill a dangerous or seriously injured animal. Nor does this policy apply to the use of tranquilizer guns for the purpose of capturing stray, disturbed or ill animals, both domestic and wild. Police officers may also use small caliber or small bore firearms for the purpose of animal control, including the killing of snakes and other varmints.

(c) In other situations, a police officer may use any reasonable force, but not including deadly force, necessary to prevent or halt unlawful activity conducted in the presence of the officer or to apprehend or recapture a person subject to arrest.

Section 206. Report of Firearm Use.

Except in firearms training, each time a firearm is used for law enforcement purposes a report shall be filed with the superior of the officer who used the weapon and forwarded through the chain of command to the Principal Chief. Whenever the use of a weapon results in serious injury or death of any person, the officer firing the weapon shall be placed on administrative leave or other strictly administrative duties pending a thorough investigation of all circumstances

surrounding the incident. The investigation shall be conducted by the Review Board who shall hold a public hearing upon notice to determine the facts of the case and whether under the circumstances the use of the firearm was justifiable. If the Review Board determines that the use of the firearm was justified, the officer shall be returned to active duty at the officer's prior assignment. If the Review Board determines that the use of the firearm was not justified, the officer will be subject to such disciplinary action, including a referral to the appropriate Prosecutor for prosecution as may be appropriate. The Police Officer shall have the right to appeal an adverse decision of the Review Board to the appropriate Court.

Section 207. Non-Firearm Weapons.

The guidelines for the type of the non-firearm weapons authorized to be carried and used are as follows:

I. Chemical Aerosol Sprays

Chemical sprays should be used only when, in the opinion of the person using them, it is necessary to gain control of an individual or group of individuals or to ensure the protection of the public or officers or to apprehend dangerous violators of the law or persons who present a danger to themselves or others. Care shall be taken to afford first aid to any person upon whom chemical sprays have been used. Circumstances surrounding the use of a chemical spray shall be reported to the officer's supervisor as soon as possible. Chemical agents should be replaced as recommended by the manufacturer. Disposal of the chemical agents shall be in accordance with prescribed environmental procedures.

Approved types are:

1. Oleoresin Capsicum (commonly referred to as Pepper Spray)
2. C.N. (commonly referred to as Tear Gas)
3. C.S. (commonly referred to as Tear Gas)

II. Impact Weapons

All batons must be at least 21 inches in length and not more than 36 inches in length. The use of impact weapons must be governed by sound judgment. The baton is for the protection of the officer and the public and it functions primarily as a defensive instrument. In the protection of life and property and in the defense of an officer's person, the baton has its specific place. The baton may be used in the following circumstances:

1. Protection of life and property
2. Defense of the officer's person

3. Where hands/body alone would prove injurious to the officer. The baton strike zones should be targets of priority which are designed to be the arms, elbows, wrists, hands and legs. Strikes above the shoulder, to the chest or groin are restricted for the survival of the officer only.

Approved types are:

1. The friction/expandable baton
2. The straight baton
3. The side-handled baton

III. Personal Weapons

This involves the use of what is commonly known as fist, hand, elbow, foot, knee, and etc. The use of personal weapons can be by officers to defend themselves against assault, or as a method of using physical force to gain control of a situation when other levels of force are inappropriate or ineffective.

IV. I V. Electronic Restraint Devices

Devices designed to immobilize violent individuals with a short burst of electronic current are authorized for use where conventional restraint tactics are reasonably judged likely to fail or where it would be unsafe to approach the individual. The Chief of Police shall approve individual devices based on their proven record of safety and reliability.

CHAPTER THREE
DISCIPLINARY ACTIONS

Section 301. Disciplinary or other Adverse Police Chief Actions.

Prior to taking an adverse disciplinary action against a Police Chief authorized by this Title or Police regulation to discipline law enforcement officers, the following steps shall be taken:

- (a) Notifying the Police Chief of the contemplated action and give a full specification of the reasons such action is contemplated.
- (b) Provide the Police Chief with a written statement of any specific violation of the rules, regulations, or statues the disciplining authority alleges the Police Chief has committed and the names of all persons upon whose testimony these allegations are based.
- (c) Set a hearing date not less than fifteen days after the Police Chief has been given the written statement of allegation.
- (d) Provide the Police Chief and the Police Chief's counsel at the hearing with an opportunity to confront and cross-examine each adverse witness.
- (e) Provide the Police Chief and the Police Chief's counsel at the hearing with an opportunity to delineate issues, to present factual contentions in an orderly manner and to generally protect the Police Chief's interest.
- (f) Reconsider the decision to take the adverse action based solely on the evidence given at the hearing and provide the Police Chief at the time the decision is announced with a written statement of the reasons for the decision and the evidence relied upon in reaching the decision.
- (g) Issue a final order based on the decision reached after the hearing.

CHAPTER FOUR DETENTION

Section 401. Jails.

Until such time the Seminole Nation of Oklahoma Lighthorse Police Department shall maintain adequate detention facilities, prisoners shall be housed at the appropriate sheriff's office. A daily per diem rate shall be negotiated between the Seminole Nation of Oklahoma Lighthorse Police Department and the sheriff's office and set out by contract to cover this expense when necessary.

Should the Seminole Nation of Oklahoma Lighthorse Police Department develop and implement a jail facility, the jail facility and its operations shall become a division under the Lighthorse Police Department. The Chief of the Lighthorse Police shall develop and implement the necessary policies and contracts for the operation of the facility.

CHAPTER FIVE
TRIBAL PEACE OFFICER CERTIFICATION AND TRAINING

Section 501. Certification Academy.

The Lighthorse Police shall be vested with the authority to conduct basic peace officer certification academies for the purpose of training officers holding a regular commission, reserve commission or special officer commission in basic peace officer academics. The Academies shall be coordinated by the Chief of Police and conducted on an as-needed basis.

Section 502. Curriculum and Courses of Study.

The Chief of Police shall formulate and promulgate a program of instruction for peace officer certification, comprised of fundamental law enforcement skills and knowledge, which shall be designated as the Basic Peace Officer Certification Academy.

Major, block curriculum changes, and/or changes in the total number of hours of the Basic Academy shall only be made upon the consideration of written or oral communication from local law enforcement chiefs, sheriffs, agency heads and court rulings.

The curriculum shall include, but not be limited to the following:

- (1) Orientation/Legal Matters
- (2) First Aid
- (3) Cardiopulmonary Resuscitation
- (4) Firearms
- (5) Criminal Investigation
- (6) Custody Control and Arrest
- (7) Traffic
- (8) Patrol
- (9) Community Relations

The Basic Academy shall consist of not less than 300 hours of instruction. Each area shall be assigned a minimum amount of time that must be devoted to that area. A designated minimum amount of time shall be devoted to testing and evaluation. Each topic of instruction to be taught as a separate unit within the areas shall have specifically defined performance objectives. The progress of each trainee shall be measured through testing and examination.

Section 503. Basic Academy Rules and Regulations.

Specific rules governing the administration of the Basic Academy shall be formulated by the Coordinator of the Academy. Said rules may be revised as deemed necessary by the Coordinator to provide for safe, efficient operation of the Academy. The Coordinator shall have the authority to dismiss any trainee who is in violation of the rules and regulations.

Section 504. Academic Requirements.

In order to successfully complete the Basic Academy program, trainees must achieve a score of seventy percent (70%), or higher, in all examinations and proficiency tests, except First Aid which shall require eighty percent (80%), or higher.

A trainee who fails a specific block examination will be permitted to retake that block examination a second time, within five (5) days of the first examination. If a trainee fails the block examination a second time, the trainee will be required to repeat the entire block on instruction and the block examination.

If a trainee misses any time during Legal Matters, Patrol Functions or Custody Control and Arrest, the trainee will not be permitted to take any of those block examinations. Rather, the trainee will be rescheduled to make-up that time in the next scheduled Basic Academy.

Section 505. Requirements for Instructors.

- I. To qualify as a General Instructor, the following qualifications must be met:
 1. Have a minimum of two (2) years experience in law enforcement, and
 2. Successfully completed an instructor development school, or
 3. Possesses a teaching certification for secondary education; or
 4. Possesses an advanced degree in the field of secondary adult education; or
 5. Be qualified to instruct at an accredited 4-year college or university.
- II. To qualify as a Specialized Instructor, the following qualifications must be met:
 1. Meet the qualifications of a general instructor, and
 2. Successfully complete an instructor development school in the specialized field for which the course of instruction is to be taught.
- III. Specialized Instructor shall include subject areas such as:
 1. Firearms Instructor
 2. Self-defense Instructor

3. Police Radar Instructor
4. Law Enforcement Driver Training
5. CPR/First Aid Instructor

IV. Adjunct Instructors must meet the following qualifications:

1. The individual must possess exceptional training, experience, or educational attainments which qualifies him or her to teach particular subject areas without the benefit of instructor development training. These shall be areas that can be classified as professionally recognized and formal in nature.

The Chief of the Lighthorse Police shall make the determination of the individual's qualifications upon review of the documentation presented.

Section 506. Certification by Reciprocity.

Any officer who has been certified by a state or federal peace officer standards and training agency, may obtain tribal certification by reciprocity, under the following conditions:

- (1) The officer must meet the minimum peace officer employment standards set forth by the Code of Law, and
- (2) The officer must have been employed as a peace officer within the previous two years, or
- (3) The officer must have completed a Basic Reserve Peace Officer Academy, and
- (4) The officer must have completed a bachelor's degree in criminal justice or police science.

Certification by reciprocity shall be granted by the Lighthorse Police Chief upon review and approval of documentation submitted by the individual.

CHAPTER SIX
MISCELLANEOUS PROVISIONS

Section 601. Return of Equipment.

Upon the resignation, death or discharge of any member of the Lighthorse Police, all articles or property issued in connection with the employee's official duties must be returned to the Chief of Police or the officer's representative. This provision may be waived by the Police regulation as to uniforms and other equipment other than firearms for officers honorably retired or in case of death while in service.

Section 602. Delegation and Assignment of Duties.

By Police Regulation, the duties of the Chief of Police may be delegated other positions within the Police Department. The Chief of Police shall assign such duties to officers and employees of lesser rank as may be necessary for the proper functioning of the Department.

Section 603. Immunities.

No member of the Lighthorse Police Department, and no person acting at the request and direction of such member during an emergency situation, shall be held to answer for any personal, civil or criminal liability for actions taken within the scope of the person's authority while in the discharge of the Officer's Police duties under the law.

Section 604. Bonding.

The Chief of Police by regulation shall provide for the bonding of all Police Officers in the enforcement division and such other officers as may be bonded in an amount determined by the Chief of Police with the consent of the Principal Chief. The cost of such bonds shall be paid from tribal funds. The sovereign immunity of the Tribe is hereby waived in the Tribal Court only and only to the extent and scope of the coverage of such bonds as may be in force at any particular time, as to actions by persons injured due to excessive use of force, violation of civil rights, or other causes inflicted by the Lighthorse Police Department personnel. No award or claim against the Nation or its Police Officers may exceed the amount of the bond in effect. This section shall not be constructed to provide any independent cause of action against either the Tribe or its Police Officers.

Section 605. 638 Contract Police Officers.

Where applicable, officers funded by a BIA 638 contract shall follow the BIA Law Enforcement Handbook.