

1 **Oneida Police Commission**
2 **By-Laws**
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5 **Article I. Authority**

6 1.1. *Name.* The name of this entity shall be the Oneida Police Commission and may be referred to as the Police
7 Commission.

8 1-2. *Authority.* This entity was established under the Oneida Law Enforcement Ordinance, adopted by BC
9 Resolution # 10-10-01-C.

10 1-3. *Office.* The official mailing address of this entity shall be:

11 Oneida Police Commission
12 P.O. Box 376
13 Oneida, WI 54155

14 1-4. *Membership.* The Police Commission will be made up of five (5) Oneida Tribal members:

15 (a) *How appointed.* All members of the Police Commission shall be appointed by the Oneida Business
16 Committee. All appointments to the Police Commission shall be for five (5) year terms.

17 (b) *How vacancies are filled.* Vacancies on the Police Commission shall be filled by appointment by
18 the Oneida Business Committee in accordance with the Comprehensive Policy Governing Boards,
19 Committees and Commissions.

20 (c) *Qualifications.* All Police Commission members:

21 (1) Must be a member of the Oneida Tribe.

22 (2) Must be 25 years of age or older.

23 (3) Must submit to a complete background investigation. The following would prohibit any
24 person from serving on the Oneida Police Commission:

25 (A) A felony conviction in the State of Wisconsin or any conviction of a crime in another
26 state that would be considered a felony conviction if the offense and adjudication occurred
27 in the State of Wisconsin.

28 (B) A felony arrest which results in a misdemeanor conviction due to a plea
29 arrangement.

30 (C) A conviction of any ordinance violation that could bring discredit to the Commission.

31 (D) Any pardon issued by the Oneida Tribe or the governor of any State, for an offense
32 specified in section 1-4(c)(3)(A)-(C) shall not deem a person as "exonerated" for the
33 purposes of membership on the Oneida Police Commission.

34 (4) Must submit to drug testing prior to appointment and on an annual basis.

35 (5) Must not be an employee of the Oneida Police Department

36 (6) Shall attend applicable training.

37 (7) Must be a person of known good standing in the community.

38 (d) *Removal from office.* In addition to the Removal Law standards, a Commissioner may be removed
39 for:

40 (1) Malfeasance in office.

41 (2) Conduct which could jeopardize the reputation of the Oneida Tribe, the Oneida Police
42 Commission or the law enforcement system.

43 (3) Any change in status which would place the Commissioner in conflict with the qualifications
44 specified in section 1-4(c).

45 (4) Violation of the confidentiality of closed hearings or any other information declared
46 "confidential" by the Oneida Police Commission..

47 (e) *Resignation.* Resignations from the Police Commission shall be in writing and presented to the
48 Police Commission for acceptance.

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50 **Article II. Officers**

51 2-1. *Officers.* This entity shall have three (3) officers - President, Vice-President and Secretary/Treasurer.

52 2-2. *President Duties.* Responsible for calling meetings and notifying members with the assistance of the
53 Secretary/Treasurer. The President shall preside over all regular and special meetings, shall sign all official
54 Police Commission documents, shall be the liaison to the Business Committee and other departments heads and
55 shall perform any and all duties assigned by the Police Commission. The President shall seek clearance from
56 the Oneida Business Committee via the Communications Department for any media requests made of the Police
57 Commission per the Communication Department Media Policy.

58 2-3. *Vice-President duties.* The Vice-President shall preside at all meetings in the absence of the President and
59 appoint a Vice-President for that meeting. The Vice-President shall work with the President in all matters that
60 concern the Police Commission. In the event of the resignation, removal from office or death of the President,
61 the Vice-President shall assume the role of President until such time as the term of the President would have
62 expired.

63 2-4. *Secretary/Treasurer Duties.* The Secretary/Treasurer shall keep accurate minutes of all meetings, both
64 regular and special, assuring that the minutes are reported in the proper format. The Secretary/Treasurer shall
65 read and answer all mail abiding by/to the decision of the Police Commission. The Secretary/Treasurer shall
66 report at each monthly meeting on the financial status of the Police Commission's funds.

67 2-5. *How chosen and length of term.* The officers shall serve terms of one (1) year and shall be elected by a
68 majority vote at the annual meeting which shall be held in September of each year. Terms of office run from the
69 beginning of the fiscal year. No officer shall serve for more than two (2) consecutive terms. In the event of a
70 vacancy, the successor shall be appointed by the Police Commission for the duration of the unexpired term.

71 2-6. *Personnel.* Any and all hiring of personnel shall be done in accordance with all applicable Oneida personnel
72 policies and procedures and shall be dependent on available funding.

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74 **Article III. Meetings**

75 3-1. *Regular meetings.* The physical meeting place shall be determined at the first meeting of this entity and may
76 change from time to time as determined by the entity but shall be within the Oneida Nation Reservation
77 boundaries unless noticed to the membership prior to designating the meeting location.

78 (a) The regular meeting of the Police Commission shall be held on the first (1st) Thursday of every month.
79 If the first (1st) Thursday falls on a holiday, then an alternative date may be selected by the Commission.

80 (b) Notice of meeting location, agenda and materials shall be forwarded by the President with the
81 assistance of the Secretary/Treasurer.

82 3-2. *Emergency/Special meetings.* Special meetings may be called by the President or any three (3) members
83 with at least a one (1) day notice.

84 3-3. *Interview meetings.* Additional meetings for the purpose of applicant interviews may be called by the
85 President with the approval of a majority of the membership.

86 3-4. *Quorum*. A quorum shall consist of three (3) members which shall include the President or the Vice-
87 President.

88 3-5. *Order of Business*. The regular meetings of the Police Commission shall follow the order of business as
89 set out herein:

- 90 (a) Call to order
- 91 (b) Approval of the Agenda
- 92 (c) Reading of Minutes
- 93 (d) Correction and Approval of Minutes
- 94 (e) Correspondence and Mail
- 95 (f) Standing and Special Committee Reports
- 96 (g) Old Business
- 97 (h) New business
- 98 (i) Other
- 99 (j) Adjournment

100 In order to facilitate the Police Commission's proceedings, the order of business may be amended or suspended
101 at any time by a majority of the members.

102 3-6. *Closed Session*. During any meeting, with proper notice, a closed session may be called for by any single
103 member of the Police Commission for the purpose of discussing matters of a confidential nature. Closed
104 Sessions are limited to members and such invited persons as the Police Commission deems necessary. The
105 meeting must be returned to "open session" following the "closed session."

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107 **Article IV. Stipend**

108 4-1. All members of the Police Commission shall receive reimbursement for expenses and stipends as set out
109 in this Article according to procedures for payment as set by the Comprehensive Policy Governing Boards,
110 Committees, and Commissions.

111 (a) Members of the Police Commission shall be paid a stipend for each meeting which has established
112 a quorum in the amount specified under *Sec. 11-3* of the Comprehensive Policy Governing Boards,
113 Committees and Commissions, providing such quorum be established for a minimum of one hour, and
114 providing further, that any member(s) collecting a stipend be present for at least one hour.

115 (b) Under *Sec. 11-5* of the Comprehensive Policy Governing Boards, Committees and Commissions,
116 Members of the Police Commission are entitled to payment of stipends, in addition to any per diem, for
117 travel approved by the Commission. The stipend shall be at a rate of \$100.00 for each full day they are
118 present at the conference. No stipend payments shall be made for those days spent traveling to and from
119 the conference.

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121 **Article V. Reporting**

122 5-1. *Format*. Agenda items shall be in an identified format.

123 5-2. *Minutes*. Minutes shall be typed and in a consistent format designed to generate the most informative record
124 of the meetings of the Commission.

125 5-3. *Attachments*. Handouts, reports, memoranda and the like may be attached to the minutes and agenda, or
126 may be kept separately, provided that all materials can be identified to the meeting in which they are presented.

127 5-4. *Reporting*. The President will report to the Oneida Business Committee per the Comprehensive Policy
128 Governing Boards, Committees and Commissions. The reporting format may be as the liaison and the Police

129 Commission agree to, but not less than that required in any policy on reporting developed by the Oneida Business
130 Committee or Oneida General Tribal Council. Reports shall be made within a reasonable time after a meeting
131 is held, or as the Oneida Business Committee member liaison and the Police Commission agree. Provided that,
132 the agreement is to uphold the ability of the liaison to act as a support to that Police Commission.
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134 **Article VI. Responsibilities**

135 6-1. *Responsibilities.* The Oneida Police Commission shall perform other responsibilities as listed in the Oneida
136 Law Enforcement Ordinance:

- 137 (a) Appoint, suspend or remove the Police Chief of the Oneida Police Department.
138 (b) Approve all law enforcement officer appointments made by the Police Chief including the promotion
139 of subordinates.
140 (c) Adopt, modify and repeal rules governing how lists of individuals, concluded to be eligible for
141 appointment to law enforcement officer and promotion, are established.
142 (d) Approve competitive examinations used to judge suitability for appointment or promotion of law
143 enforcement officers.
144 (e) Approve an eligibility list of individuals determined to be eligible for appointment as a law
145 enforcement officer or promotion.
146 (f) Suspend law enforcement officers or other appointed personnel of the Police Department pending the
147 filing and hearing of charges against them, subject to the provisions of Oneida Law Enforcement
148 Ordinance 37.10-1.
149 (g) Initiate charges against law enforcement officers or other appointed personnel of the Police
150 Department.
151 (h) Hear charges filed against law enforcement officers or other appointed personnel of the Police
152 Department, whether filed by the Commission or the Police Chief, make findings and determinations,
153 and impose penalties, up to and including termination. Such actions are independent of and exempt from
154 the Oneida Blue Book, as provided in 37.9-1 of the Oneida Nation Law Enforcement Ordinance.
155 (i) Hear appeals of disciplinary actions against any law enforcement personnel or non-sworn personnel.
156 (j) Adopt rules governing the Oneida Police Commission's management of its own activities.
157 (k) Review contracts, and forward to the Oneida Business Committee for approval, concerning cross-
158 deputization, dispatch function and mutual aid pacts which are made between the Oneida Police
159 Department and a non-tribal agency, per Oneida Law.
160 (l) Approve Standard Operating Procedures of the Oneida Police Department.
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172 **Article VII. Amendments**

173 7-1. *Amendments to the By-Laws.* Amendments shall be made to these by-laws at a regular meeting of the Police
174 Commission provided that written notice of proposed amendments was made at a prior regular meeting.
175 Amendments are effective upon adoption of the Police Commission and approval by the Oneida Business
176 Committee.

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178 These by-laws as amended and revised are hereby attested to as adopted by the Police Commission
179 at a duly called meeting by the President's signature on this 4th day of March, 2007.

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183 President, Oneida Police Commission

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185 and by approval of the Oneida Business Committee at a duly called meeting held on this 3rd
186 day of March, 2007 by the Secretary of the Oneida Business Committee's signature.

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190 Secretary, Oneida Business Committee