

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

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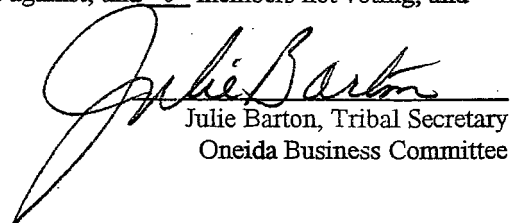
Resolution # 10-10-01-C Oneida Law Enforcement Ordinance

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Tribe exercises sovereign powers within the Oneida Reservation, one of the most important of which is the protection of its members' lives and property as well as others within the Tribe's jurisdiction; and
- WHEREAS,** the Oneida Tribe has expended its resources to establish a professional police force, funding its operations and the professional training of its members; and
- WHEREAS,** as a result of this investment, for the last several years the Oneida Police Department has functioned as a professionally qualified police force, recognized as such by the State of Wisconsin and other jurisdictions; and
- WHEREAS,** the structure of the OPD and its operating principles having not previously been expressly confirmed in Oneida law, and it being desirable that such matters be confirmed in law; and
- WHEREAS,** the Oneida Law Enforcement Ordinance sets forth the structure and operating principles of the Oneida Police;

NOW THEREFORE BE IT RESOLVED: that Oneida Law Enforcement Ordinance is hereby adopted and enacted into Oneida law, and incorporated into the Oneida Code of Laws by the Legislative Reference Office.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 6 members were present at a meeting duly called, noticed and held on the 10th day of October, 2001; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against; and 0 members not voting; and that said resolution has not been rescinded or amended in any way.


Julie Barton, Tribal Secretary
Oneida Business Committee

Statement of Effect

Resolution Adopting and Enacting the Oneida Law Enforcement Ordinance

Summary

This resolution adopts and enacts into law a Law Enforcement Ordinance, setting forth the structure and operating principles of the Oneida Police Department, and more specifically: (a) the general principles governing police operations; (b) the structure, qualifications, selection process and supervisory authority of the Oneida Police Commission; (c) the position of Police Chief, its qualifications, selection process and authority; and (d) the position of law enforcement officer, its qualifications, selection process, promotion, promotion and disciplinary processes and authority.

Analysis

The Ordinance principally confirms the implicit principles and operating procedures under which the Oneida Police Department has operated for the past several years. It recognizes the special professional needs of a police department charged with law enforcement authority involving arrest and firearm-carrying responsibilities by establishing a specialized commission with supervisory, appointment and disciplinary authority, independent of other tribal personnel procedures and chains of authority.

A public hearing on the draft ordinance was held on xxx, at which numerous comments, oral and written were secured, the major concerns of which, relating to the selection of Police Chief, have been incorporated in this Ordinance.

The principal changes from prior operating procedures are:

- (1) The selection of Police Chief to be with the Police Commission; and
- (2) The position of Law Enforcement Officer to be open to non-Oneida, subject to the oneida Indian Preference policy, with the Police Chief and all supervisory ranks remaining limited to Oneida members.

Conclusion

The adoption of Law Enforcement Ordinance is expressly authorized under Article IV, Section 1(f) of the Oneida Constitution. There are no legal issues which would preclude adoption of this Resolution enacting the Oneida Law Enforcement Ordinance into law.