

# Oneida Nation

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## **BC Resolution # 05-14-25-B Amendments to the Oneida Nation Law Enforcement Ordinance**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Nation Law Enforcement Ordinance ("the Law") was adopted by the Oneida Business Committee through resolution BC-10-10-01-C and then amended by resolution BC-02-25-15-C; and
- WHEREAS,** the purpose of this Law is to regulate the conduct of the Nation's law enforcement personnel according to the highest professional standards; and
- WHEREAS,** the amendments to the Law revise the title of the Law from "Oneida Nation Law Enforcement Ordinance" to "Law Enforcement law;" and
- WHEREAS,** the amendments to the Law include a new provision providing the policy of the Nation in regard to this law; and
- WHEREAS,** the amendments to the Law provide that law enforcement operations can take place outside the Reservation when the operations occur pursuant to any other jurisdictional exception that may exist for law enforcement officers; and
- WHEREAS,** the amendments to the Law remove the Police Sergeant position from the positions in the Oneida Police Department that are required to be held by enrolled members of the Nation; and
- WHEREAS,** the amendments to the Law require that upon the removal of a Police Chief, in addition to the retirement or resignation, the Oneida Public Safety and Security Commission shall appoint an interim Police Chief; and
- WHEREAS,** the amendments to the Law clarify that to the extent that Federal Tort Claims Act coverage does not apply, the Nation shall provide professional liability insurance for all law enforcement officers; and

- WHEREAS,** the amendments to the Law allow for the sworn oath of a law enforcement officer to take place at a special Oneida Business Committee meeting, or at an alternative time and location as determined by the Oneida Business Committee Secretary, in addition to at a regular Oneida Business Committee meeting; and
- WHEREAS,** the amendments to the Law expand the Oneida Police Commission into the Oneida Public Safety and Security Commission, which will oversee the Internal Security Department and any other public safety operation department of the Nation, in addition to the Oneida Police Department; and
- WHEREAS,** the amendments to the Law revise the eligibility qualifications for Oneida Public Safety and Security Commission members; and
- WHEREAS,** the amendments to the Law revise the responsibilities of the Oneida Public Safety and Security Commission in regard to the Oneida Police Department; and
- WHEREAS,** the amendments to the Law provide that the responsibilities of the Oneida Public Safety and Security Commission in regard to the Internal Security Department or any other safety operation department of the Nation shall be provided for in the Oneida Public Safety and Security Commission bylaws; and
- WHEREAS,** the amendments to the Law revise the disciplinary proceedings for law enforcement officers; and
- WHEREAS,** the amendments to the Law move all provisions regarding the use of firearms to section 301.11 of the Law, and provide that the Oneida Police Department may allow law enforcement use of service firearms in order to protect life, liberty, property, land, and premises, according to the usual and current accepted law enforcement standards; and
- WHEREAS,** the amendments to the Law make other minor drafting changes throughout the Law; and
- WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law through collaboration with representatives from the Oneida Police Department, Oneida Police Commission, Oneida Law Office, Internal Security Department, Oneida Business Committee, Oneida Gaming Commission, and the General Manager; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed amendments to the Law; and
- WHEREAS,** the Legislative Operating Committee held a public meeting on the proposed amendments to the Law on March 14, 2025, with one (1) individual providing oral comments, and the public comment period for the amendments to this Law was then held open until March 21, 2025, with no submissions of written comments received; and

*Adoption of Amendments to the Oneida Nation Law Enforcement Ordinance and Effective Date*

**NOW THEREFORE BE IT RESOLVED**, the Oneida Business Committee hereby adopts the amendments to the Oneida Nation Law Enforcement Ordinance, now known as the Law Enforcement law, which shall become effective on August 20, 2025.

*Transition of the Oneida Police Commission to the Oneida Public Safety and Security Commission*

**BE IT FURTHER RESOLVED**, effective on August 20, 2025, the Oneida Police Commission shall hereby be expanded into and known as the Oneida Public Safety and Security Commission.

**BE IT FURTHER RESOLVED**, in accordance with section 301.6-1 of the Law, the Oneida Public Safety and Security Commission provides oversight regarding the activities and actions of public safety and security operations throughout the Reservation to provide the greatest possible professional services to the Nation and to allow for community input regarding those public safety and security services through its representatives on the Oneida Public Safety and Security Commission; and the Oneida Public Safety and Security Commission is an oversight body of the following departments of the Nation, but its oversight authority does not involve decision making processes on day-to-day activities of those public safety services:

- Oneida Police Department;
- Internal Security Department; and
- Any other department of the Nation that focuses its operation on public safety as identified in the bylaws of the Oneida Public Safety and Security Commission.

**BE IT FURTHER RESOLVED**, the Oneida Law Office shall provide bylaws for the Oneida Public Safety and Security Commission for consideration of adoption by the Oneida Business Committee by August 20, 2025.

**BE IT FURTHER RESOLVED**, current members of the Oneida Police Commission may maintain their appointment to the Commission throughout their term of appointment through the transition from the Oneida Police Commission to the Oneida Public Safety and Security Commission.

*One Year Review*

**BE IT FINALLY RESOLVED**, that the Legislative Operating Committee shall conduct a one (1) year review of the amended Law Enforcement law.

**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; 9 members were present at a meeting duly called, noticed and held on the 14<sup>th</sup> day of May 2025; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Liggins, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."