



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled: “Adoption of Law Enforcement Officer Code of Conduct”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (I) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, the Tribal Business Council has entered into a Public 101-638 Indian Self Determination and Education Assistance contract with the Bureau of Indian Affairs for the purpose of contracting and administering criminal investigative services on the Fort Berthold Indian Reservation; and

WHEREAS, 25 CFR § 12.51 requires that all Indian country law enforcement programs receiving Bureau of Indian Affairs funding or commissioning must establish a law enforcement code of conduct which establishes guidelines for conduct on and off duty, impartiality, and professional conduct in the performance of duty and the acceptance of gifts or favors; and

WHEREAS, The Three Affiliated Tribes Tribal Business Council has not previously adopted a written code of conduct for tribal law enforcement officers.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby adopts in accordance with 25 CFR 12.51 the following Law Enforcement Officer Code of Conduct:

Code of Conduct for Three Affiliated Tribes Law Enforcement Officer

This Code of Conduct defines the standards of professional and ethical conduct required of all law enforcement officers employed by the Three Affiliated Tribes:



1. Law enforcement officers shall conduct themselves at all times, whether or off duty, in accordance with the Constitution of the Three Affiliated Tribes and the Constitution of the United States, with the laws of the Three Affiliated Tribes and the laws of the United States, and all other applicable laws, ordinances and rules enacted pursuant to legal authority.
2. Law enforcement officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the Three Affiliated Tribes Criminal Justice System.
3. Law enforcement officers shall perform their duties and apply the law impartially and without prejudice or discrimination.
4. Law enforcements shall not, whether on or off duty, engage in any conduct that discredits them or the Three Affiliated Tribes or otherwise impairs their ability or that of other law enforcements officers to provide law enforcements services on the Fort Berthold Indian Reservation.
5. Law enforcement officers shall treat all members of the public courteously, and with respect, suspects, arrestees and other colleagues.
6. Law enforcement officers shall not accept, give, or solicit any gratuity that could reasonably be interpreted as capable of influencing their official acts or judgments, or use their status as an employee of the Three Affiliated Tribes for commercial, personal or political gain.
7. Law enforcement staff shall not compromise their integrity or that of their profession of the integrity of the Three Affiliated Tribes law enforcement operations, by taking or attempting to influence actions when a conflict of interest may exist. A conflict of interest exists when the officers personal or financial interests conflicts or appears to conflict his/her official responsibility to his/her position.
8. Law enforcement officers shall maintain and keep confidential all information they obtain or receive in the course of their employment and shall comply with tribal and federal privacy laws.
9. Law enforcement officers shall respect the importance of all components of the criminal justice system and shall work to improve cooperation with each component.
10. Law enforcement officers shall respect, promote, and contribute to a work place that is safe, healthy and free of harassment in any form.

Every law enforcement officer employed by the Three Affiliated Tribes shall acknowledge and sign a receipt and understanding of the Code of Conduct.



CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 15 day of February 2005; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] voting. [] not voting.

Dated this 15 day of February 2005.

Handwritten signature of Nathan Hale in black ink.

Secretary, Nathan Hale
Tribal Business Council

ATTEST:

Handwritten signature of Marcus Wells, Jr. in black ink, written over a horizontal line.

Acting Chairman, Marcus Wells, Jr
Tribal Business Council