

Chapter IX

TRIBAL LAW ENFORCEMENT OFFICERS

901. LAW ENFORCEMENT OFFICER DEFINED - A law enforcement officer of the Bay Mills Indian Community is:
- A. Employed by the Tribe to enforce its general criminal and civil ordinances; or
 - B. Employed by the Tribe to enforce its conservation laws; or
 - C. Employed the United States, another Indian tribe, an intertribal organization, the State of Michigan, or a political subdivision of the State, and is authorized by the Tribe to enforce its laws.
902. QUALIFICATIONS - The Executive Council of the Tribal Council may appoint persons as tribal law enforcement officers. To be eligible for appointment, an officer shall possess the following qualifications:
- A. Be of sound physical and mental condition and evidence no use of controlled substances without a prescription issued therefor;
 - B. Have no conviction of a felony for which s/he has not received a pardon;
 - C. Be of legal age; and
 - D. Within one (1) year of appointment, successfully complete the approved Basic Police Training Course conducted at the Federal Police Academy or similar course substantially meeting or exceeding the level of training provided by said Academy.
903. DUTIES AND RESPONSIBILITIES - It is the duty and responsibility of each law enforcement officer to conduct him/herself as follows:
- A. To obey promptly all orders of the Tribal Court of the Bay Mills Indian Community;

- B. To lend assistance to fellow officers;
- C. To protect the general public and assist any person in need;
- D. To report and investigate all violations of any law coming to his/her notice or reported for attention;
- E. To arrest all persons observed violating the laws or committing offenses under tribal law;
- F. To carry a firearm while on active duty, for which the officer is qualified pursuant to 25 C.F.R. sec. 11.304(e);
- G. To inform him/herself of the laws, regulations and offenses applicable to the Reservation of the Bay Mills Indian Community and to the areas ceded under the Treaty of March 28, 1836 (7 Stat. 491);
- H. To prevent violations of the law and the committing of offenses under the ordinances of the Tribe or the laws of the United States;
- I. To abstain from the use of intoxicants and controlled substances while on active or on-call duty status;
- J. To refrain at all times, whether on or off-duty, from any utilization of a controlled substance without the requisite prescription therefore, and from engaging in any act which would bring discredit upon the Tribe's Law Enforcement Department and/or its branches and divisions;
- K. To refrain from the use of inappropriate language when representing the Tribe to the general public and to other law enforcement agencies;
- L. To use only necessary force in making an arrest, search or seizure;
- M. To promptly notify his/her commanding officer of all arrests made by him/her and to submit proper arrest records and investigative reports in accordance with established department procedures;
- N. To not willfully violate any laws of the United States or the State of Michigan, unless said provision is declared to be

violative of treaty rights reserved to the Tribe or in conflict with tribal law;

- O. To keep all equipment furnished in reasonable repair and order, and to ensure that none is used by any person not a law enforcement officer;
- P. To maintain the minimum standards for law enforcement officers contained in 25 C.F.R. sec. 11.304 (g) and (h);
- Q. To report to his/her commanding officer violations of these duties which s/he observes or of which s/he has knowledge; and
- R. To comply at all times with the Law Enforcement code of Ethics.

904. DISMISSAL - The Executive Council may suspend or dismiss any tribal law enforcement officer for any noncompliance with the duties and requirements of Sec. 903, and/or neglect of duty.

905. CONTROL OF TREATMENT OF PRISONERS - Tribal law enforcement officers shall be responsible for the treatment and control of prisoners in their custody. Visible cuts, bruises, or other apparent injuries suffered by any person arrested shall be reported in writing to their commanding officers. Officers shall exert only such force as is necessary to overcome resistance to lawful arrest and to maintain proper custody of a prisoner.