

ORDINANCE NO. 16  
Of The Governing Body Of The  
HUALAPAI TRIBE OF THE HUALAPAI RESERVATION  
(A FEDERALLY CHARTERED INDIAN CORPORATION)  
Peach Springs, Arizona

WHEREAS:

A. The Hualapai Tribal Council is granted the authority by Article VI, Section 1 (o) of the Amended Constitution and Bylaws "to enact ordinances, subject to review by the Secretary of the Interior, establishing and governing tribal courts and law enforcement on the Reservation," and

B. The Hualapai Tribal Council desires to amplify and supplement Section 1.19 of Ordinance No.9, relating to law and order, to state more particularly the duties and responsibilities of the Chief of Hualapai Police and to prescribe the procedure for removing such Chief of Police from office and other disciplinary procedures for the Hualapai Police Department.

NOW, THEREFORE, BE IT ENACTED BY THE HUALAPAI TRIBAL COUNCIL A MEETING IN SESSION AT PEACH SPRINGS, ARIZONA, THIS 13th DAY OF July, 1963, AS FOLLOWS:

1. Police Department, Establishment, functions.

The Hualapai Tribal Police Department is hereby established. The Special Officer designated as the Chief of Police, provided by Section 1.19 of Ordinance No. 9 of the Hualapai Tribe, shall be the head thereof. The Chief of Police and the Police Department

shall be responsible to the Chairman of the Tribal Council for the planning, organizing and administering of Hualapai law enforcement including the direction of work assignments and distribution of personnel at their various stations. The Chief of Police and the Police Department under his direction shall be responsible for the investigation of both routine and more complex criminal cases and the preparation of reports required for presentation and disposition of cases in courts of competent jurisdiction; for preparation and maintenance of an adequate police record system; for the training of police personnel through various media. The Chief of Police and the Police Department shall provide the Tribal Council and Tribal Officers with technical assistance as requested.

2. Liaison. Due to the peculiar nature of the landownership pattern on or near the Reservation and due to the multiplicity of the agencies having jurisdiction over these lands, the Chief of Police and the Police Department must establish satisfactory working relationships with other law enforcement organizations in order that crimes may be expeditiously investigated and crime prevention programs established. The Chief of Police shall establish and maintain good relations with communities surrounding the Reservation in order that they may better understand law enforcement problems peculiar to the Reservation situation. The Chief of Police shall be responsible for the dissemination of information regarding law enforcement regulations and procedures to the Hualapai people and others concerned.

3. QUALIFICATIONS OF Policeman. The Chief of Police must have at least 2 years experience and all Hualapai policeman shall have the following qualifications:

(a) A candidate must be in sound physical condition and of sufficient size and strength to perform the duties required.

(b) He must be possessed of courage, self-reliance, intelligence and a high sense of loyalty and duty.

(c) He must never have been convicted of a felony nor have been convicted of any misdemeanor for a period of one year prior to appointment.

(d) He must be of sober habits.

(e) He must be able to speak, read and write English.

4. Discipline of Police. The Chief of Police may be removed from office, or suspended from office for a term without pay, by the Hualapai Tribal Council, and any member of the Police Department other than the Chief of Police may be similarly removed from office or suspended without pay by the Chief of Police, for any one of the following reasons:

(a) For failure to have or maintain the qualifications for appointment specified in Section 3 of this Ordinance.

(b) For drinking intoxication liquor or partaking of a narcotic drug while on duty.

(c) For public intoxication while off duty.

(d) For conviction of a felony or misdemeanor of offense against the Hualapai Tribe in any court of competent jurisdiction.

The Chief of Police or any policeman accused of any such crime may be suspended from office, but not removed therefrom, prior to conviction; but this provision shall not prevent the Tribal Council in the case of the Chief of Police, or the Chief of Police in the case of any policeman, from conducting an independent investigation and removing said accused person from office if they believe him guilty of conduct unbecoming an officer, regardless of lack of conviction of the crime of which he was charged.

(e) Conduct unbecoming an officer, which shall include but not be limited to brutality, willful disregard of the civil rights of prisoners, fornication or adultery, failure to pay his just debts, disrespect to members of the executive, legislative, or judicial branch of the Hualapai Tribal government, or failure to properly care for tribal property in his custody.

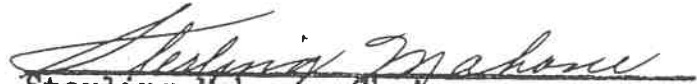
(f) Neglect of duty.


(g) Inefficiency.

#### CERTIFICATION

We, the undersigned, as Chairman and Secretary of the Hualapai Tribal Council, do hereby certify that the Tribal Council of the Hualapai Tribe is composed of nine (9) members of whom six, constituting a quorum, were present at a regular meeting thereof this this 13th day of July, 1963; and that the foregoing Ordinance No. 16 was adopted by the affirmative vote of six members, pursuant to authority of Article VI, Section 1 (o) of the

Amended Constitution and Bylaws approved October 22, 1955.

  
Sterling Mahone, Chairman  
Hualapai Tribal Council

  
Evalena Hamidreek, Secretary  
Hualapai Tribal Council

Corporate Seal:

Presented to the Truxton Canyon Subagency, Valentine,  
Arizona on \_\_\_\_\_, 1963.

APPROVED: \_\_\_\_\_  
Date

  
Wesley T. Bobo, Subagency Superintendent

July 24, 1963

Mr. Homer M. Gilliland

Superintendent, Colorado River Agency

Dear Mr. Gilliland:

Enclosed are ten copies of Ordinance No. 16 enacted by the Hualapai Tribal Council on July 13, 1963 and received and approved by this office on July 18, 1963.

This ordinance covers the duties and responsibilities of the Hualapai Chief of Police. It is recommended that ordinance be approved.

Sincerely yours,

William L. Schroeder,  
Acting Subagency Superintendent

Encl.

WLSchroeder:eb  
chrono  
file

# Hualapai Tribal Council

PEACH SPRINGS, ARIZONA

July 16, 1963

Mr. Wesley T. Bobo, Superintendent  
Truxton Canon Subagency  
Valentine, Arizona

Dear Mr. Bobo:

RE: Ordinance No. 16  
Relating to Law and Order

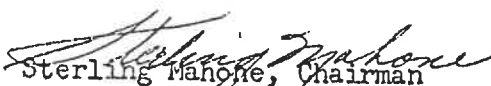
At the regular meeting of the Hualapai Tribal Council held on July 13, 1963, the Council adopted and approve of Ordinance No. 16 relating to Law and Order.

The Hualapai Tribal Council desires to amplify and supplement Section 1.19 of Ordinance No. 9 (Revised) relating to Law and Order, to state more particularly the duties and responsibilities of the Chief of Hualapai Police and to prescribe the procedure for removing such Chief of Police from Office and other disciplinary procedures for the Hualapai Police Department.

Submitting to you fifteen copies of Ordinance No. 16. In accordance with Article VII. Review by the Secretary, of the Amended constitution and bylaws of the Hualapai Tribe of the Hualapai Reservation, Arizona, effective October 22, 1955.

Trusting that the department will give favorable action.

Sincerely,

  
Sterling Mahone, Chairman  
Hualapai Tribal Council

M/eh

c: Marks

*15 days will  
be upon 8/2/63*

RECEIVED  
TRUXTON CANON SUBAGENCY  
VALENTINE, ARIZONA

August 2, 1963

Mr. W. Wade Head

Area Director, Phoenix, Arizona

Dear Mr. Head:

Enclosed are six copies of Ordinance No. 16 enacted by the Hualapai Tribal Council on July 13, 1963, and approved by the Acting Sub-Agency Superintendent on July 18, 1963. This ordinance sets forth the duties and responsibilities of the Hualapai Chief of Police.

In accordance with the Constitution of the Hualapai Tribe it is necessary that this ordinance be reviewed. It is recommended that the ordinance not be rescinded by the Commissioner.

Sincerely yours,

Homer M. Gilliland  
Superintendent

Enclosure

cc:  
Truxton Canon Subagency ✓

RECEIVED

TRUXTON CANON SUBAGENCY  
PHOENIX, ARIZONA



# Hualapai Tribal Council

PEACH SPRINGS, ARIZONA

September 11, 1963

Mr. Ernest Smith, Chief Police  
Hualapai Tribal Police  
Peach Springs, Arizona

Dear Mr. Smith:

The Hualapai Tribal Council enacted an Ordinance No. 16, on July 13, 1963, at a Regular meeting and the same being approved by the Subagency Superintendent, Valentine, Arizona, on July 18, 1963.

The Ordinance became effective on July 13, 1963, and also received further approval of the Ordinance by the Commissioners of Indian Affairs Office on September 10, 1963.

A copy of the Ordinance No. 16 is forwarded to you for your copy and file. It is expected that you read it and be familiar with it. It pertains to the duties and responsibilities of the Chief of Police and policemen on the Hualapai Reservation.

Sincerely,

Stedling Mahone, Chairman  
Hualapai Tribal Council

SM/eh

cc; Bobo  
Marks

RECEIVED

SEP 13 1963

YAVUPTON CANON SUB AGENCY  
VALENTINE, ARIZONA

ARNETT E. MARKS  
HAROLD A. MARKS (1904-1936)  
ROYAL D. MARKS  
PHILIP J. SHEA

LAW OFFICES  
**MARKS AND MARKS**  
TITLE & TRUST BUILDING  
114 WEST ADAMS STREET  
PHOENIX, ARIZONA 85003  
TELEPHONE 254-2114

February 17, 1970

Mr. Sterling Mahone, Chairman  
Hualapai Tribal Council  
P. O. Box 168  
Beach Springs, Arizona 86434

Re: Ordinance 16

Dear Sterling:

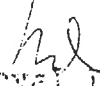
As I told you Friday afternoon, George Rocha had called me that morning about Ordinance 16, asking me if this was still in effect or if it had been amended or rescinded.

My last correspondence on this was May 22, 1969, when I wrote you, as acting Chairman, and enclosed a copy of the proposed ordinance. I did not know whether this was enacted or not, and I don't know what has happened since then. If the copy of the ordinance that I have is in force and effect then certainly the Chief of Police is the one who has the responsibility of removing an officer for the reasons as set out in Paragraph 4 which includes public intoxication while off duty and for drinking interfering liquor while on duty. There are also several other items under Paragraph 4.

I don't know what else to advise you in this matter, but would like a copy of the ordinance as enacted.

Kind regards.

Sincerely,

  
Royal D. Marks  
of Marks and Marks

RDH/pw  
cc: Charles Picrot  
George Rocha

