



BIA-OFFICE OF JUSTICE SERVICES
INTERIM SLEC PROTOCOL



Effective:

Revised:

The following Special Law Enforcement Commission (SLEC) protocol outlines the steps the District Special Agent in Charge (SAC) will follow when determining whether SLECs should be issued to a tribal, Federal, state, county, or local law enforcement agency.

1. A tribal, Federal, state, county, or local law enforcement agency requests a Deputation Agreement from the District SAC, or the District SAC identifies a need to use a particular law enforcement agency to aid in the enforcement of Federal law in Indian Country.
2. The District SAC notifies the BIA-OJS Deputy Bureau Director of the intent to enter into a Deputation Agreement with the tribal, federal, state, county, or local law enforcement agency and of the following:
 - a. the geographical location and size of the reservation or other Indian Country to benefit from the Deputation Agreement and SLECs;
 - b. the number of BIA Officers currently providing law enforcement services to the reservation or other Indian Country;
 - c. the population (Indian and non-Indian) of the reservation or other Indian Country;
 - d. the specific need to be addressed by the Deputation Agreement and the SLECs, e.g., need for backup; additional coverage during special events; particular crime trends such as gang-related activity, drug manufacturing or sales, theft from gaming establishments, or federal misdemeanors and use of the Central Violations Bureau.
3. The BIA-OJS Deputy Bureau Director promptly notifies the District SAC whether he or she is authorized to enter into a Deputation Agreement.
4. If the BIA-OJS Deputy Bureau Director authorizes the District SAC to enter into a Deputation Agreement with a tribe, the tribe submits an authorizing tribal resolution.
5. If one tribe requests another tribe to provide law enforcement officers within its jurisdiction, both tribes submit authorizing tribal resolutions to the District SAC, approving the use of one tribe's law enforcement officers within the other tribe's jurisdiction.
6. Executing the Deputation Agreement:
 - a. the District SAC prepares a Deputation Agreement;
 - b. the tribe, Federal, state or local entity signs the Deputation Agreement;
 - c. the District SAC submits the Deputation Agreement to Central Office East (COE) for review;
 - d. after review, COE submits the Deputation Agreement to the BIA-OJS Deputy Bureau Director for signature;
 - e. COE files the original Deputation Agreement and the tribal resolution(s) and sends copies to the District SAC and the appropriate law enforcement agency;
 - f. officers from the law enforcement agency submit applications for SLECs (*see BIA-OJS SLEC Policy, Rules and Procedures 4-04-02*).



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7. The District SAC reviews the SLEC applications and ensures that standards for issuance of the SLECs are satisfied in accordance with the BIA SLEC Policy, Rules and Procedures (*see BIA-OJS SLEC Policy, Rules and Procedures 4-04-01 F & 4-04-03 E*).
8. The District SAC verifies that a thorough background investigation has been conducted on the applicant (*see BIA-OJS SLEC Policy, Rules and Procedures 4-04-03*). An applicant employed by a law enforcement agency that requires the applicant, as a pre-employment condition, to be fingerprinted and undergo a background investigation no less stringent than that required of a BIA-OJS Officer, is exempt from this process upon providing documentation of such background clearance. The employing chief law enforcement officer attests and certifies in writing, on department letterhead, that the applicant has met all requirements for the SLEC, including a full background investigation that has been adjudicated by trained and qualified security professionals and a FBI criminal history check. If a thorough background investigation has not been completed and adjudicated, the applicant is not issued the SLEC.
9. The District SAC issues an SLEC within 60 days after determining that the applicant has met all requirements.
10. The District SAC keeps a current record of all outstanding SLECs (*See BIA-OJS SLEC Policy, Rules and Procedures 4-04-01 I*). Until the national SLEC database is developed, each District SAC is responsible for maintaining systematic records of all SLECs issued in the District, including:
 - a. a copy of the Deputation Agreement and the tribal resolution;
 - b. the SLEC applications;
 - c. documentation that a thorough background investigation was completed and adjudicated on each applicant;
 - d. documentation that all standards for receipt of the SLEC have been satisfied;
 - e. requisite information that is found on SLEC cards (*See BIA-OJS SLEC Policy, Rules and Procedures 4-04-01 H*);
 - f. current firearms qualification;
 - g. any applicant denials with an explanation for the denial;
 - h. revocations of SLECs with an explanation; and
 - i. SLEC renewals.
11. The District SAC ensures that each new SLEC holder is given a thorough orientation as to the SLEC holder's exact authority (*See BIA-OJS SLEC Policy, Rules and Procedures 4-04-01 J*).
12. SLECs are renewed in accordance with *BIA-OJS SLEC Policy, Rules and Procedures 4-04-01 L and 4-04-04*.
13. The checklist provided to each District SAC from COE is used to document that all requirements have been satisfied (*see attached SLEC Application Checklist*).



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SLEC Application Checklist

1. Tribal resolution(s)
2. Deputation agreement signed by the parties
3. SLEC application packet:
 - completed official *Application for Special Law Enforcement Commission*
 - fingerprint chart
 - signed Domestic Violence Waiver
 - verification of training at POST or IPA
 - firearms qualifications (at least 80%)
 - official transcript of high school graduation or GED certificate
 - successful completion of *Criminal Jurisdiction in Indian Country* (CJIC) course
 - written acknowledgement that applicant has reviewed and agrees to comply with the BIA-OJS Code of Conduct
4. Verification that a thorough background investigation has been conducted and adjudicated. Verification is satisfied by the District SAC's acceptance of a Letter of Attestation, on department letterhead, from the chief law enforcement officer of the applicant's employing agency, in accordance with the *BIA-OJS SLEC Policy, Rules and Procedures*, that a thorough background investigation has been conducted and adjudicated, and that the following requirements have been satisfied:
 - verification of citizenship;
 - applicant is at least 21 years old;
 - verification of education: high school diploma or GED;
 - criminal history check: tribal, municipal, county, state and federal;
 - credit history check;
 - interviews of listed and developed references;
 - driver's license check;
 - fingerprint chart cleared through FBI;
 - identification of any disqualifying factors
 - application is fully completed and attested to by chief law enforcement officer of the employing law enforcement agency
 - previous employers have been interviewed
5. All required documentation has been filed or entered into the SLEC database once the database is operational.