



# Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

**Policy #** 322

**Effective Date** 09/01/2006

**Policy Name** Cross-Deputization

**Approved Date** 08/23/2006

**Approved by** *Wendell Franklin, Chief of Police*

**Previous Date** NEW

## PURPOSE OF CHANGE:

To update policy format.

## POLICY:

The City of Tulsa has Indian Country within its city limits, which creates jurisdictional concerns for both the Tulsa Police Department and Tribal Police. Cross-Deputization agreements have been executed between tribal governments, the Bureau of Indian Affairs and local city/county governments throughout the nation. On May 3, 2006, the City of Tulsa entered into the Intergovernmental Cross-Deputization Agreement with the Muscogee (Creek) Nation.

Cross-Deputization eliminates jurisdictional questions at the response level. Under this agreement, Tulsa Police Officers will have full law enforcement authority on Muscogee (Creek) Nation Indian Country, regardless of the ethnicity of the violator. In addition, Tribal Police Officers will also have full law enforcement power within the City of Tulsa. This agreement allows tribal officers to arrest, transport, and book violators in Indian Country, whether Indian or non-Indian. This agreement is designed for the benefit of both agencies. Its primary purpose is to allow Tulsa Police Officers to immediately respond to bomb threats, active shooters and other emergency calls that occur on Indian property. Tribal Officers will also submit reports to the District Attorney or City Prosecutor for crimes committed in Indian Country.

The Chief of Police will monitor the program and if at any time it becomes a burden instead of a benefit for the Tulsa Police Department, the Chief can withdraw the department from the program.

Tulsa Police Officers and Tribal Police Officers must have a commission card from each agency to be cross-commissioned. Each officer that is approved to be cross-commissioned will receive the necessary training. Officers must carry both commission cards.

This Cross-Deputization policy applies to Muscogee (Creek) Nation Indian Country and does not apply to other Indian properties. Refer to Policy 322 Attachment for a list of the applicable properties.

**SUMMARY:** Regulations for Cross-Deputization.

**APPLIES TO:** All sworn personnel

## DEFINITIONS:

**CROSS-DEPUTIZATION** – a formal agreement where one agency commissions a law enforcement officer from another agency. This commission grants the officer the same law enforcement authority as officers of the commissioning agency.

## PROCEDURES:

1. The activation of the cross-commission occurs when a cross-commissioned officer observes a crime in progress or is called to assist another cross-commissioned officer in Muscogee (Creek) Nation Indian Country.

2. When a crime is committed in Indian Country by a non-Indian against a non-Indian or the crime is victimless, the suspect will be charged under the appropriate municipal or state law. If the victim is Indian, the suspect will be charged under federal law and processed by the Tribal Police and transported to Okmulgee County Jail.
3. Persons of Indian heritage should possess a Bureau of Indian Affairs (BIA) card and a tribal citizenship card. However, if a suspect states they are Indian, but do not have their card, Officers will treat them as an Indian regarding this policy.
4. Tulsa Police Officers will notify Tribal Police when investigating crimes in Muscogee (Creek) Nation Indian Country.
5. If surveillance video of Muscogee (Creek) Nation Indian Country is necessary for evidentiary purposes, it may be requested through the Creek Nation Attorney General's Office.

## **REGULATIONS:**

1. The Chief of Police, or designee, will determine which Tulsa Police Officers are approved for a cross-commission card.
2. The Chief of Police and Chief of Tribal Police have the authority to suspend or revoke any officer's cross-commission.
3. Each officer approved to be cross-commissioned must receive special training before being issued a cross-commission card.
4. Tribal Police Officers will receive additional special training with a Tulsa Police Department Field Training Officer.
5. Any officer who is cross-commissioned must carry both commission cards at all times.

## **REFERENCES:**

Intergovernmental Cross-Deputization Agreement Between the United States, the Muscogee (Creek) Nation, And Political Subdivisions Of The State Of Oklahoma, May 2, 2006  
322, *Cross-Deputization – Attachment*