

**EXECUTIVE ORDER NO. 166-13**

**AN EXECUTIVE ORDER APPOINTING OF LINDQUIST & VENNUM,  
WALLACE G. HILKE AND MARK D. LARSEN AS HEARING OFFICERS**

WHEREAS, pursuant to Mille Lacs Band Statute 4 MLBS 6 (e) the Chief Executive is authorized to issue Executive Orders on any subject matter within the Executive Branch pursuant to the authorities conferred by Band Statute; and

WHEREAS, the Chief Executive is authorized to hold executive hearings pursuant to Band Statute 1142-MLC-3, § 12 ("Section 12"); and

WHEREAS, the effectiveness, responsiveness, and integrity of the Mille Lacs Band Police Department (the "Police Department") is of great importance to the people of the Mille Lacs Band; and

WHEREAS, recent events have raised concerns among many persons and elected leaders of the Mille Lacs Band regarding the conduct and oversight of members of the Police Department; and

WHEREAS, the Chief Executive has determined that, in order to proceed in a prudent manner, it is proper and necessary to conduct hearings into potentially improper conduct by one or more officers of the Police Department and to develop recommendations for policies, procedures and further steps for improving the operations and oversight of the Police Department; and

WHEREAS, Section 12 contemplates that powers of subpoena shall be available to any executive hearing of inquiry; and

WHEREAS, the procedures for conduct of hearings of inquiry are set forth in Band Statute 1142-MLC-3, § 13 ("Section 13"); and

WHEREAS, Section 13(a) provides for executive hearings to be conducted by a hearing officer appointed by the Chief Executive; and

WHEREAS, the Mille Lacs Band has retained Lindquist & Vennum and attorneys Wallace G. Hilke and Mark D. Larsen to address the Police Department issues; and

WHEREAS, in furtherance of that assignment, the Chief Executive has determined that Lindquist & Vennum and its attorneys, Wallace G. Hilke and Mark D. Larsen, shall serve as a hearing officer pursuant to Section 13(a):

NOW, THEREFORE, BE IT ORDERED:

1. Lindquist & Vennum and its attorneys Wallace G. Hilke and Mark D. Larsen are appointed as a hearing officer pursuant to Band Statute 1142-MLC-3, § 13 for the purpose of investigating potentially improper conduct by one or more officers of the Mille Lacs Band Police Department (the "Police Department") and to develop recommendations for policies, procedures and further steps for improving the operations and oversight of the Police Department:

2. The hearing officer is hereby granted subpoena power to gather information and command the attendance and testimony of individuals in connection with its investigation and hearings contemplated by Sections 12 and 13; and

3. Lindquist & Vennum shall conduct any hearings in this matter consistent with the guidelines and principles set forth in the Band Statutes, including particularly Band Statute 1142-MLC-3, §§ 12-14.

Dated: This 5<sup>th</sup> day of August, 2013

  
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Melanie Benjamin, Chief Executive

Expiration Date: December 31, 2013