



**OFFICE OF THE ATTORNEY GENERAL**

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MISSISSIPPI BAND OF CHOCTAW INDIANS

P. O. BOX 6258 / 354 INDUSTRIAL ROAD

CHOCTAW, MISSISSIPPI 39350

**JOB ANNOUNCEMENT  
MISSISSIPPI BAND OF CHOCTAW INDIANS**

**JOB ANNOUNCEMENT# 437009**

**POSITION TITLE:** OVW Grant funded Tribal Prosecutor/SAUSA  
**SALARY:** Negotiable Based on Experience  
**OPENING DATE:** **SEPTEMBER 22, 2020** **SEP 22 2020**  
**CLOSING DATE:** **OCTOBER 06, 2020 OR UNTIL FILLED**  
**SUPERVISOR:** Attorney General or Designee  
**JOB LOCATION:** AGO Wing at Justice Complex/Choctaw, MS and US Attorney's Office, Jackson, MS  
**TYPE OF EMPLOYMENT:** Regular Exempt, Full Time

**SCOPE OF SERVICE AND EFFECT:**

The grant funded MBCI Prosecutor/SAUSA ("Special Assistant United States Attorney") is responsible for providing prosecutorial services for on-reservation domestic violence and other criminal offenses committed in the Southern District of Mississippi in the tribal and federal courts of the Southern District of Mississippi. The Prosecutor/SAUSA is responsible for representing the Tribe in the following courts: Choctaw Criminal Court, Choctaw Supreme Court, Traffic Court, Federal Court and any other courts as necessary. Additionally, the Prosecutor/SAUSA may be assigned other duties in the Attorney General's Office to include training and drafting legislation. This position requires a comprehensive knowledge of the Tribal, State and Federal Law and Regulations. Excellent research and writing skills are also required.

**RESPONSIBILITIES AND DUTIES:**

1. To prosecute and assist in the prosecution of criminal cases in the Choctaw Tribal Courts, especially in the prosecution of offenses involving domestic violence, such as physical assault, sexual assault, and stalking;
2. To coordinate the appearance of the Tribal Attorney General's Office before the Choctaw Supreme Court in criminal appellate matters, and to appear and argue as directed by the Tribal Attorney General;

3. To oversee, coordinate, and present in Court matters of Extradition under the Choctaw Tribal Code as directed by the Tribal Attorney General;
4. To advise, counsel, monitor and mentor non-Attorney Lay Advocates and prosecutorial assistants in the Tribal Attorney General's Office in matters of Criminal Evidence and Rules of Criminal Procedure, Tribal Criminal Code and M.B.C.I. Constitution;
5. To assist the Tribal Attorney General, in formulating matters of policy relating to criminal law or procedure in the Tribal Courts, to review Tribal Code and Constitutional provisions with recommendations for emendations and improvements where needed;
6. To serve as a real-time legal consultant to the Choctaw Police Department, particularly to the Director of Public Safety and to members of the Criminal Investigative Division in 24-hour On-Call service; to review prosecutorial reports for completion before submission to the United States Attorney for prosecution, and to recommend additional investigation, including drafting and obtaining search warrants, if needed;
7. To provide ongoing training for Patrol Division officers of the Choctaw Police Department in such matters as 4<sup>th</sup> and 5<sup>th</sup> Amendment considerations, particularly the law of Search and Seizure; hot pursuit; extradition; crime scene management; evidence collection and retention; presentation of effective testimony in cases in both Tribal and Federal Courts;
8. To serve as part of prosecutorial management available to the Choctaw Multi-Disciplinary Team to facilitate the investigation and prosecution of child abuse within the purview of the Choctaw Police Department and Choctaw Social Services in its various divisions;
9. To provide lectures and training to selected staff of the Tribe and other law enforcement agencies in all areas, and for special programs and presentations of various Tribal organizations as it relates to criminal matters in Indian Country;
10. To advise and assist the Assistant United States Attorney representing Choctaw Criminal interest in the Federal Courts; to research and file pleadings representing Choctaw interests in Federal Court at the direction of the United States Attorney; to recommend grand jury investigations and dispositions in Tribal criminal interests; to recommend prosecutions for specific Tribal Federal cases, additional investigations in specific Federal cases, and declinations in specific cases or referral to Tribal Courts for disposition; to assist in witness and victim issues in preparation for Federal prosecutions;
11. To advise and assist the Federal Bureau of Investigation in its role as the statutory investigative authority in Indian Country and serve as liaison between the Criminal Investigative Division and the FBI and other federal agencies in prosecuting Tribal cases;
12. To comply with and uphold the Memorandum of Understanding Between the Mississippi Band of Choctaw Indians and the United States Attorney's Office for the Southern District of Mississippi and the District Operational Plan dated August, 2016;
13. To meet all Personnel standards required by the United States Attorney's Office for the Southern District of Mississippi;
14. Other duties as assigned.

**WORK ENVIRONMENT:**

Duties will be performed at the Office of the Attorney General at the Smith John Justice Complex and the U.S. Attorney's Office in Jackson, Mississippi as required.

## QUALIFICATIONS:

1. Minimum qualifications include a four year college degree plus a Juris Doctor (JD) or Master of Legal Letters (LLM) degree from a law school accredited by the American Bar Association and three (3) years of experience.
2. Applicant must be a member in good standing of the Mississippi Bar Association and be admitted to practice law in the State of Mississippi, before the State and Federal Courts of Mississippi and admitted to Tribal Court or eligible for admission to the Choctaw Tribal Court.
3. Applicant must be able to successfully complete an F.B.I. Background Investigation.
4. It is preferred that the applicant has prior experience practicing in Choctaw Tribal Court with a strong background of education and/or experience in the field of Federal Indian Law.
5. It is preferred that the applicant have prior Prosecution experience in state, tribal and federal courts and /or experience with representation of victims of Domestic Violence.
6. Applicants may be required to demonstrate their level of knowledge through an examination.
7. Weekly travel is required and out of state training will be required;
8. Personal transportation, liability insurance, and a valid MS Driver's License is required for this position.

**NOTE: The Administrative Personnel Policy & Procedures of the Mississippi Band of Choctaw Indians, Native American Preference, Section II (A), have been revised and approved, as follows:**

Further bolstering this Native American preference to promote employment of MBCI members, it is the policy of MBCI to employ person(s) who are not members of MBCI only when no qualified member of MBCI, who has applied for the position, can be trained or upgraded to fill a given job vacancy within a reasonable period of time at a reasonable cost, and then only when a Waiver of Native American Preference has been secured from the Committee on Human Resources, Training and Development on a case-by-case basis.

The authority to waive Native American Preference laws can only be exercised by the Committee on Human Resources, Training and Development. The Committee will exercise its discretion to do so only when a motion is made by a committee member to support such waiver and the Committee determines by reviewing the facts and appropriate written documentation that a waiver is justified. A waiver to allow the employment of a person who is not a member of MBCI, or to employ a person who is Native American outside the order of preference set forth in this Policy, can be made by the Committee only for as long as the person who is granted the waiver remains in the position for which the waiver was granted. That waiver does not apply to other openings which the person who is granted the waiver may request a promotion or transfer for, or apply for. The Committee only has the right to approve or disapprove a waiver that has been requested by Executive Branch supervisors, and has no right to direct, demand, or coerce any executive Branch supervisor or personnel that any specific applicant other than the one for which waiver is sought, be employed. Supervisors who do not follow the Native American Preference Policy are subject to disciplinary action up to termination.

**IF INTERESTED, SEND APPLICATION TO:**

Mississippi Band of Choctaw Indians  
Human Resources  
P.O. Box 6033, Choctaw Branch  
Choctaw, MS 39350