



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 17 2008

Honorable Byron L. Dorgan
Chairman
Committee on Indian Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This responds to your June 12, 2008 letter to Secretary Kempthorne in which you asked that the Department provide to you the Bureau of Indian Affairs and Tribal Jails Report prepared by Shubnum Strategic Management Applications. The plan is enclosed.

As you know the Bureau of Indian Affairs provides a wide range of justice services throughout Indian Country, including police services, criminal investigation, detention facilities, tribal courts, and officer training by the Indian Police Academy. In an effort to develop a comprehensive and holistic approach to detention services throughout Indian Country, the BIA contracted with Shubnum Strategic Management Applications to develop a report on the state of BIA and tribal detention facilities. The first phase of the plan, which was a condition assessment, was completed in the summer of 2007, and the draft Master Plan (the Plan) was delivered to BIA in March 2008.

The plan is currently under review by the Department and has not been cleared to be released, as there are numerous facts and assumptions included in the plan that have not been validated. The recommendations stated in the plan have not been substantiated and do not reflect the views of the Department, including the BIA. The proposals for new facilities contained in the plan are the views of an independent contractor, not those of the BIA or anyone else in the Department. Therefore we ask that the contents of the report not be shared outside the committee.

There are numerous concerns with the methodology used in the development of the recommendations in the Plan. The contractor visited 38 facilities and extrapolated from those site visits assumptions about the remaining 46 facilities. The Plan provides anecdotal evidence and does not provide a comprehensive inventory of current facilities, utilization rates, deferred maintenance and repair needs, facility conditions, or any of the other standard metrics used in the Department's asset management program. Additionally, the population data used to determine future needs ranges from 4.5 percent

to 7.5 percent per annum for every law enforcement program. Our analysts believe this growth rate appears excessive and unsubstantiated by trend analyses.

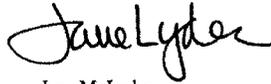
The Plan also contains conflicting information regarding the types of arrests being made, whether they are for violent crimes or for drug and alcohol abuse. If alcohol and drug abuse is indeed the reason for detention 95 to 100 percent of the time, as the Plan states, the Department believes these numbers suggest that the report should have a more thoroughly considered recommendation other than incarceration to address the problem of substance abuse. The Plan also fails to consider cost-effective alternatives to construction, such as better partnerships among counties, States, and the Federal government.

The end result is a recommendation for multiple new facilities that the Department believes is not sufficiently justified, and is presented exclusive of other approaches to dealing with crime in Indian Country. Additionally, the Plan does not prioritize needs or identify a 5-year or 10-year plan, or identify annual funding increments that could be used in the development of the budget. As a result of all these factors, the Department, including the BIA, cannot endorse the contents of this report.

The Department believes the Plan contains some useful elements that we are using to develop plans for improving the detention center program. The Plan is also a useful tool for ongoing discussions with the Department of Justice on roles and responsibilities for the construction of new detention facilities.

We look forward to working with Congress, Tribes, State and local governments, and other Federal agencies on achieving our goal of safe Indian communities.

Sincerely,

A handwritten signature in black ink that reads "Jane Lyder". The signature is fluid and cursive, with the first name "Jane" being more prominent than the last name "Lyder".

Jane M. Lyder
Legislative Counsel

IDENTICAL LETTER to Honorable Lisa Murkowski

**Master Plan for Justice Services in Indian Country
Year 2007 to Year 2017**

Draft Final Report

**Bureau of Indian Affairs
United States Department of the Interior**

under contract with
United States General Services Administration

Prepared by



**Shubnum
Henderson, Nevada**

Contents

Contents	1
Executive Summary.....	5
Final report - Master Plan Details	11
Chronological Progress	11
List of Facilities Assessed	11
Individual Assessment Reports	11
Findings at Existing Facilities in 34 Key Categories	11
Critical Concerns – Pictorials	11
Dispose / Improve / Repair – Numerical Assessments	12
Structured Replacement Facilities for Justice Services	12
Schematics of Replacement Facilities	14
Facilities Construction Criteria	18
Replacement of Existing Facility Requirements	18
Service Calls and Arrests in 24 hour period	18
New Bookings and Already Housed Inmates	18
Under-reported Inmate Overcrowding, one-day sampling	18
Jails in Indian Country operating above 150% of Capacity on the peak day during June 2004	19
Replacement of Existing Facility Requirements 2007 - 2017.....	19

Crime Statistics.....	21
Detailed Construction Costs Analysis for fourteen types of facilities	21
Annual Facilities Operations and Maintenance Costs Analysis	22
Annual Program Operations Costs Analysis	22
Unit Capital Costs	22
Unit Capital Costs Summary	22
Details for Unit Capital Costs	23
Deferred Repairs and Maintenance Costs Analysis	23
Deferred Repairs and Maintenance Costs – Inventoried Facilities	23
Deferred Repairs and Maintenance Costs – Non Inventoried Facilities	23
Deferred Repairs and Maintenance Costs Details for Existing Facilities	23
Composite Capital Cost Requirements Analysis	24
Location Maps of Facilities in Master Plan	24
Appendices.....	25

Appendices

Appendix A - Chronological Progress	26
Appendix B – List of Facilities Assessed	31
Appendix C - Individual Assessment Reports	34
Appendix D - Findings at Existing Facilities in 34 Key Categories	505
Appendix E - Critical Concerns – Pictorials	522
Appendix F – Dispose / Improve / Repair (DIR) – Numerical Assessments	871
Appendix G - Structured Replacement Facilities for Justice Services	889
Appendix G1 – Schematics of Replacement facilities – Tier I, Tier II and Tier III ...	897
Appendix G 2 – Facilities Construction Criteria	904
Appendix H - Replacement Facility Requirements	918
Appendix H 1 – Service Calls and Arrests in 24 hour period	920
Appendix H 2 – New Bookings and Already Housed Inmates	922
Appendix H 3 – Under-reported Inmate overcrowding, one day sampling	924
Appendix H 4 – Jails in Indian Country operating above 150% of Capacity	927
Appendix H 5 – Replacement Facility Requirements 2007 – 2017	928
Appendix H 6 – Crime Statistics – BIA office of Justice Services	944
Appendix I - Detailed Construction Costs Analysis for fourteen types of facilities	950
Appendix J - Annual Facilities Operations and Maintenance Costs Analysis	1024
Appendix J1 – Annual Facilities Operations and Maintenance Costs	1025
Appendix J2 – Facility Operations and Maintenance Cost Analysis	1026

Appendix K - Annual Program Operations Costs Analysis	1028
Appendix L - Unit Capital Costs	1036
Appendix L 1 – Unit Capital Costs Summary	1037
Appendix L 2 – Details for Unit Capital Costs	1038
Appendix M - Deferred Repairs and Maintenance Costs Analysis	1039
Appendix M 1 – Deferred Repairs and Maintenance Costs – Inventoried facilities ...	1040
Appendix M 2 – Deferred Repairs and Maintenance Costs – Non-inventoried facilities	1043
Appendix M 3 – Deferred Repairs and Maintenance Cost Details for Existing facilities	1044
Appendix N – Composite Capital Cost Requirements Analysis	1237
Appendix O – Location Maps of facilities addressed in Master Plan	1256

Executive Summary
Master Plan for Justice Services in Indian Country

Operational Concept

The analysis of Justice Program facility needs across Indian Country as described in this Master Plan is predicated on the demographic and geographic nature of Indian Tribes and residents on Indian Lands across Indian Country. As the Master Plan demonstrates, the capital and operations costs are enormous. The concept of every community having a holding/booking/transfer facility as a first tier facility, with a regional, larger more complete second tier facility for longer term offenders and ultimately a regional third tier facility for even longer term incarceration is a useful operating concept. This operating concept is most effective when employed across reservation and community boundaries.

Today, every large Tribal Community attempts to provide differing levels and lengths of incarceration within their own resources. The development of regional facilities with increasing length and level of incarceration is a way of providing appropriate levels of incarceration at the most efficient cost.

The Master Plan includes recommended locations for the three types of facilities as well as both an estimated initial capital cost and an estimated annual operations and maintenance cost to provide justice program facilities appropriate to the needs.

As in other facilities programs, the actual accomplishment of construction must be predicated on further refined studies including demographic analysis, complete alternative considerations, life cycle cost analysis and cost benefit analysis. There also must be conducted an alternative analysis that considers the impact of alternatives to incarceration and implementation of crime prevention measures to deter criminal activity rather simply an incarceration solution.

One of the most pervasive issues that have arisen in the completion of detention facilities funded by the Department of Justice grants program is the inability to hire staff. In some cases it has taken months to complete the process. There must be earlier consideration of and identification of operational funding as well as exploration of alternative sources of capital investment and methods to cover the cost of operations from an economic development perspective.

Perhaps one of the most useful benefits of this Master Plan effort is the identification of where the greatest needs of justice facilities across Indian Country exist. Given the depth of the study, formulation of priority list for correction of the deficiencies is much easier than would have been possible otherwise.

Purpose

The rate of reported serious and non serious crime across Indian Country has escalated over the past several years. The nature of crimes has also changed. News accounts and internal reports show that the nature of crimes have transitioned from misdemeanors to felonies. Internal intelligence documents show that drug cartels and individual drug producers have targeted Indian Country as preferred areas of operation because of the sovereignty of reservations, the reduced law enforcement presence, high unemployment and large regions of unoccupied land.

Law enforcement across Indian Lands is a priority program due to the increasingly serious nature of the crimes, the growing rate of crime and its effects on individuals and communities within and outside reservation borders.

Concurrently in 2004, the Inspector General, Department of Interior issued a report "Neither Safe nor Secure" which identified serious deficiencies in the Justice Program across Indian Country. The report highlighted deficiencies in operations and in particular the condition of detention facilities across Indian Country, both those owned and operated by Indian Tribes and those owned by the Bureau of Indian Affairs. Following that report an investigative report presented on national television highlighted the poor condition of detention facilities across Indian Country.

Immediate action was taken to address both the escalating crime rate and the condition of detention facilities. Budget requests included funds for increased law enforcement, repairs and improvements to detention centers and funds for Indian Tribes to build new detention facilities.

In 2005, the Department of Interior's Bureau of Indian Affairs initiated a review of detention facilities across Indian Country. Included in the review are facilities that are tribally owned and operated, those owned and operated by the federal government and those owned by Tribes but operated by the Federal government. The review revealed a lack of consistency of real property records, a general lack of understanding of the functional operations of detention facilities and the lack of a clear understanding of the need for justice program facilities across Indian Country.

As is the practice, Tribes can and frequently do request that facilities built with funds provided to them through the DOJ grant program be added to the Indian Affairs inventory and that BIA assume operational responsibility for the facility. Similarly Tribes that are self governing request funding support as well. Before agreement by Indian Affairs to do so, a due diligence review of the facility is conducted. In the conduct of these reviews, it was discovered that several of the facilities were constructed to be used for purposes less than incarceration, and some as designed are inefficient from a staffing viewpoint. Since the DOJ grant funds could only be used for the construction of detention centers and therefore could not be used for construction of law enforcement offices or courts, when replacing old detention centers which included law enforcement and courts, it was necessary to keep the older facilities in operation, thereby increasing operations and maintenance costs.

In consideration of the preceding, there is a need to formally address the cost of ownership including capital investment and operating cost that is needed to address justice program facilities issues.

Consequently, in 2005, Indian Affairs initiated an effort to quantify the facilities deficiency and to prepare a Master Plan as a potential solution to an integrated Indian Country wide resolution of the facility deficiencies in the three areas of law enforcement, courts and detention facilities across Indian Country.

Approach

The conduct of the preparation of this Master Plan was managed by the Indian Affairs Office of Facilities, Environmental and Cultural Resources and its subordinate organization the Office of Facilities Management and Construction in Albuquerque. Participating in the study was representatives of the Office of Justice Services, and during formulation was briefed to representatives of the Department of Justice.

The Master Plan work was accomplished by Shubnum, a small business in Nevada with twenty-eight years of experience in the program management, project management, master planning, programming, design, construction management and delivery of over 600 facilities, of which twenty-two years of experience have been in adult and juvenile, detention, corrections and rehabilitation, law enforcement and courts facilities for County, State and Federal agencies. Shubnum provided these services to the Interior under a contract administered by the General Services Administration. Shubnum was selected to conduct the research and prepare the Master Plan in competition with other firms with similar qualifications all of whom had extensive business in justice programs.

The research, findings and draft interim reports were periodically presented to representatives of interested parties including those from Department of Justice. Comments were invited and draft interim reports were changed accordingly.

During the Assessment Phase, site interviews were conducted with the local administrative staff and tribal members who were familiar with the site, needs for justice services and the community. While almost all tribes cooperated in these interviews there are those who deserve special recognition. These individuals went above and beyond their call of duty to assist in the understanding of what prevails in the community. These individuals belonged to the Crow, Flathead, Fort Hall, Navajo, Nisqually, Oglala Sioux, San Carlos Apache tribes and the Taos Pueblo.

Methodology

The first step in undertaking this Master Plan effort was to quantify the breadth and depth of the justice program facility deficiency. A review of existing records confirmed the lack of any previous undertaking of a similar nature. Anecdotal evidence indicated that the operation of detention programs across Indian Country was neither understood nor quantified since tribal justice programs are the within the sovereignty of Tribes.

A plan was formed to first quantify the facility deficiencies and then offer a solution to the facilities' deficiencies that created an operational concept of an integrated justice facilities program.

Condition and Operations Assessment

The acknowledged number of detention facilities across Indian Country is 84. There are 29 identified tribally owned detention centers and 55 BIA owned detention centers. There may be other buildings used by local communities as temporary detention centers but not identified as such.

BIA does not keep records of Tribally Owned Facilities and therefore relies on reports from tribes.

Indian Affairs conducts an annual inspection of each BIA owned or operated detention facility. Accordingly, the condition of those facilities is documented in the real property records. Because there were neither time, funds nor the necessity to visit all 84 justice facilities, a representative number of 38 facilities was selected to be reviewed and assessed. Those included both Tribal- and Federal-owned facilities. The 38 were selected from an assessment of all 84 detention centers. They were selected either because the real property records showed significant building deficiencies, a lack of complete real property information, size, known capacity issues and general knowledge of Office of Justice Service's personnel as typical of detention facilities. Excluded from the consideration were detention facilities completed or under design/construction funded through the DOJ grant program.

Site visits were made to each of the 38 facilities. Visits typically took longer than one day. Observations were made of the operations, inspections and photographs of facility conditions were taken, interviews of officers were conducted, records of calls, responses, booking and disposition were reviewed. All of the results were recorded, compiled and analyzed.

The initial evaluations were conducted with a focus on detention centers but shortly into the process, the need to include courts and law enforcement offices became apparent. The Master Plan process was expanded to address those areas as well.

Findings

1. Life and safety of officers and inmates are at risk for lack of adequate Justice Facilities and programs in Indian Country.
2. Only half of the offenders are being incarcerated who should be incarcerated; the remaining are released through a variety of informal practices due to severe overcrowding in existing detention facilities.
3. A discrepancy was noted between the number of service calls, arrests and bookings leading to the conclusion that many incidents are not reported.
4. The character of offenses has changed considerably with more severe crimes than in the past. Increasingly, felons are being incarcerated in Indian Country instead of misdemeanors.
5. Most facilities are dysfunctional, resulting from changes in prevalent law that was in effect when the facilities were built as far back as 70 years ago.
6. There is a lack of space for healthcare, rehabilitation, program space, secure flammable storage, secure evidence storage and secure weapons storage.
7. The Justice Facilities' infrastructure continues to deteriorate and most facilities are in disrepair.
8. Shortage of funds for 'program operations' and 'operations and maintenance' for Justice Facilities throughout the Justice system, extends even to the new facilities.
9. The preponderance of Justice Facilities in Indian Country are reaching the end of their useful life.
10. Contract beds are not readily available due to remote location of communities and demand for space from local and other federal agencies.
11. Additional detailed findings related to the program assessment and facility assessment based on the assessment of 38 Tribal and BIA facilities are noted in Appendix D. These findings are grouped in 34 key categories.

Conclusions

By virtue of the preliminary site visits, this plan includes a complete record of current operating conditions and description of facility deficiencies that go beyond real property records. On-site visits, records and interviews revealed that although recent improvements in the reporting of criminal activity and incarceration data has occurred, the lack of detention capability is under reported. Types and seriousness of criminal activity have transformed from misdemeanors to felonies. Needs for an improved justice facility program has never before been qualified or quantified.

This Master Plan does not address the impact of preventative measures that would reduce the requirements for incarceration. Those factors include but are not limited to:

- Increased law enforcement that would initially increase the need for incarceration facilities but has the potential to eventually reduce the frequency and type of criminal activity
- Restorative rehabilitation programs for adult offenders
- Restorative rehabilitation programs for juvenile offenders
- Use of alternatives to incarceration such as tracking devices, trustee status and work programs

This Master Plan is prepared to address facility deficiencies only and includes one of several inter-related solutions to the current and projected future needs to the present corrections facilities program. The solution offered herein is only one of a number of alternative ways of solving the facilities issue. Alternatives must either reduce the demand for incarceration facilities or increase the supply, or some combination of both.

Except for the newest Justice Facilities, Justice Facilities in Indian Country do not meet the present standards of the American Correctional Association (ACA) and have thus greatly escalated the life, safety and security risks of the officers and inmates at the facilities.

Ninety percent or more of the existing justice facilities that are older than 5 years need to be replaced with appropriate new justice facilities or require extensive improvements and repairs. Since the needs are so large and located so diversely, existing facilities need to be repaired pending construction of new facilities.

Both older and new facilities are under-funded to meet both – functional and facility operational cost.

Master Plan Details

The work completed in Phase I and in Phase II is presented in a logical progression in detailed appendices. A brief narrative for these appendices is noted below:

Chronological Progress - Appendix A

The chronological progress of the sequence of events of the Master Plan over the past 25 months is provided in Appendix A. The appendix also provides a forward projection of the sequence of events that are anticipated and are currently in progress. This chronology is a snapshot as of the publication date of this report, May 29, 2008.

List of Facilities Assessed - Appendix B

During the year 2006, 38 facilities were assessed for the Justice Programs and Facility Assessments. This list included a sampling of Tribal, PL 638, Self Governance and BIA-administered facilities that are located throughout the United States. Additional details regarding these assessments are noted in Appendices C, D, E and F.

Individual Assessment Reports - Appendix C

The individual assessments provide detailed reports of the Program assessment and Facility assessment of each of the 38 sites that were visited.

Each individual report begins with Section 1 which provides the background information that includes: location, land mass, population, labor force, physical description, climate, government structure, business structure, physical infrastructure, and community services that include healthcare and education.

Section 2 provides an assessment of the Program. Section 3 provides an assessment of the Facility.

Findings at Existing Facilities in 34 Key Categories - Appendix D¹

Besides the individual reports regarding assessments of each individual site provided in Appendix C, an overview of our findings is also provided based on the collective assessment of the sites that were visited. These are grouped in 34 key categories.

Titles in bold indicate single items that are critical for an appropriate functioning of a law enforcement program and/or a detention facility, violation of which is in and of itself sufficient reason to investigate and provide solutions to the program and the facility. However, often facilities exhibit more than one of such critical deficiencies.

While all of the key categories are important, those identified with their headings in bold font are critical and require immediate solutions for the continued operation of the facility.

Critical Concerns – Pictorials, - Appendix E¹

The Critical Concerns in providing justice services for the safety and security in Indian Country are noted as a pictorial in 21 areas of concern. This pictorial is noted as Appendix E. This Appendix E is a continuation of Appendix D which narrated the findings in 34 key categories. The Critical Concerns

¹ These findings and concerns are more detailed and specific than the Prison Commission Report conducted in 2005-2006, "Confronting Confinement – A Report of The Commission on Safety and Abuse in America's Prisons" June 2006. This report did not include Indian Country.

regarding existing Facilities and Operations; that are tangible and could be photographed, are categorized as the following thumbnail collections:

- 1 Bookings – Intake Challenges
- 2 Cages and Housing
- 3 Central Control Station Challenges
- 4 Electrical Challenges
- 5 Emergency Egress
- 6 Environmental Challenges
- 7 Flammable Storage
- 8 Front Entrance – Reception
- 9 Worn Out Blankets
- 10 Lack of Food
- 11 Perimeter Challenges
- 12 Personal Harm Challenges
- 13 Plumbing Challenges
- 14 Recreation Yard Challenges
- 15 Sewage in Housing
- 16 Facility Structure Challenges
- 17 Water Quality Challenges
- 18 Weapons in Kitchens and Interiors
- 19 Weapons in Storage
- 20 Weapons in Transportation Vehicles
- 21 Weapons on Site

Replace / Repair / Improve Existing Facilities – Numerical Assessments, Appendix F

Contents of Appendices B, C, D and E were evaluated numerically for each site and prioritized with a progressive Dispose / Improve / Repair (DIR) of facilities.

The progressive decommissioning matrix is noted in Appendix F1. Each of the facility is color-coded for the three categories as follows. The red-colored facilities need to be addressed first. The yellow-colored facilities need to be addressed thereafter. The green-colored facilities may be held back for a final evaluation until the red- and yellow-colored facilities have been addressed. All three categories need to stay functional with appropriate repairs and maintenance. The need for repairs and maintenance are detailed in Appendix M.

The backup numerical assessment is noted in Appendix F2. Appendix F2 summarizes the weighted score in each of the 29 categories that were evaluated. The weighted scores are indicated for each facility as well as the total raw score for each facility, analyzed by each District. The weighted score cutoff points to separate in three categories were 3550 and 2250. A total weighted score above 3550 received a green category, while those below a 2250 received a red category. The facilities scoring from 2251 to 3549 received a yellow category.

Structured Replacement of Existing Facilities for Justice Services - Appendix G

Providing justice services to the Indian Country within the context of culture, traditions, distances, locations, sovereignty of jurisdiction, legal structure of Indian laws and regulations, U.S. laws and regulations and criminal activity, is a complicated subject.

Additionally, in contrast to the conventional justice system, which addresses the severity of criminal behavior with the severity of security level of facilities; all of the criminal behavior addressed within the tribal systems, self governance systems, PL- 638 program systems and the BIA addresses misdemeanors and/or individuals who are expected to be incarcerated for up to 365 days. More severe criminal activities are referred to the U. S. federal justice system. However, there are exceptions, which are becoming increasingly prevalent, which extend the incarceration or the punishment based on the severity of the crime and are addressed within the Indian community.

As a part of the Master Plan, a structured tier system of facilities has been developed to uniquely address the need for facilities to provide justice services to the Indian Country. Justice services to be provided at these facilities, fall into three tiers – that are not necessarily tiered by the severity of the crime or the need of security; rather, by the expected function that they serve within the structure of the sovereign Indian community agreements, obligations and understandings of the past, and their relationship to the U. S. federal justice system.

Tier I facilities will serve as a 'Local Booking and Holding for Transport, 48-hour Detention and Substation Facility'. These facilities will serve remote populations and/or low criminal traffic locations. The facilities will house adult males and females, and juvenile males and females. There is a need for 167 such facilities across Indian Country.

Tier II facilities will serve as 'Combination Detention/Corrections, Law Enforcement and Court Facility'. These facilities will serve single or multiple tribes with medium populations and/or high criminal traffic locations. The facilities will house adult males and females, and juvenile males and females. Such facilities also provide for the rehabilitation for the incarcerated adults and juveniles. There is a need for 80 such facilities across Indian Country.

Tier III facilities will serve as, 'Regional Corrections and Video Court Facility'. These facilities will serve large populations and single or multiple tribes. These facilities will also serve as a 'Resources and Distribution' center for the region. The facilities will house adult males and females, and juvenile males and females. Such facilities also provide for the rehabilitation for the incarcerated adults and juveniles. There is a need for 16 such facilities across Indian Country.

Several subsets within each tier are created to address unique needs within the general framework and functionality of the tier. Such subsets are noted as Tier I c, Tier II h, or Tier III c etc... The subsets are referred as 'Facility Type'. There are 28 subset facility types within the three tiers. The tiered system and the facility types are noted in more detail in the associated diagrams in Appendix G.

Not including the PL- 280 programs, 361 locations provide Justice Services in Indian Country. Each of these was analyzed for the location and functional need for a facility at that location.

This Master Plan addresses 263 planned replacements of existing facilities located at strategic locations to serve specific functions and address the need for justice services. Of the 263 facilities, there is a requirement of 167 Tier I facilities, 80 Tier II facilities and 16 Tier III facilities.

Within the Tiers I, II and III, fourteen 'Facility Types' are used in various combinations to provide justice services throughout the United States.

The Master Plan also addresses the need for deferred repairs and maintenance of existing facilities and a Capacity Upgrade – CU at existing facilities.

The detailed analysis for the need, tribes served, locations and other details are noted in Appendix H and associated Appendices H1, H2, H3, H4, H5 and H6.

Schematics for Replacement of Existing Facilities - Appendix G 1²

The structured development of tiered facilities is an integrated system of facilities to serve multiple functions at multiple locations throughout the country.

The schematics provide the reader with a view of the floor plan and elevations of each of the different tiers. These schematics for Tiers I, II and III are located as Appendix G 1 following the description of the structured facilities in Appendix G.

The floor plans indicate the relationships of functionality and traffic pattern within the facility. The elevations depict the exterior of the facility and the relationships of the features at the site.

General Considerations for Construction of Replacement of Existing Facilities

1. Each tier of facility will accommodate male and female adults and male and female juveniles.
2. The central control station or the command and control center serving the inmates shall be separate from the Dispatch serving law enforcement.
3. Facility Core and Expansion considerations.
The facilities are planned for a core area with all critical infrastructures for the present and foreseeable future needs of the facilities for the next forty years. The expansion pods will allow for the expansion, contraction and appropriate direct supervision of the beds and pods. The facilities could also expand in a T configuration without sacrificing the core. The facilities are designed for 'Direct Supervision' for efficient operations by staff minimizing Program Operation costs.
4. Facility Leadership in Energy and Environmental Design (LEED®) considerations.
All facilities will provide features that should enable them to target a "Gold" LEEDs certification from the United States Green Building Council (USGBC). LEED® considerations are included in the Appendix G2 – Facilities Construction Criteria that follows the Appendix G1.
Among other features, there will be a system of photovoltaic panels on the roof of the main buildings in all of the southwest and the Sunbelt regions. The roof, though flat will have a slight pitch for drainage. The roof will have a structure to mount the photovoltaic panels. The parapet will be just high enough to hide the panels from outside view.
Facilities in the Great Plains will, in addition have Wind Generators.
The single story buildings provide for daylighting that offsets the artificial lighting demand costs of lighting inmate spaces during the day.
5. Facility 'Site Utility' building consideration.
Each Tier I and Tier II facilities will require a 'Utility Building' on the site, at or adjacent to the main facility. This building is intended to include the Emergency Backup Generator, Inter-utility tie-in and metering equipment for locally generated power, water softening system, recycling center for plastics, paper, etc., controls for mechanical, electrical, waste and plumbing systems, storage batteries room and an office for the plant manager.

² These plans take into consideration recommendations for the facility and programs in the Prison Commission Report conducted in 2005–2006, "Confronting Confinement – A Report of The Commission on Safety and Abuse in America's Prisons" June 2006. This report did not include Indian Country.

6. Site considerations

Site development will require approximately 1 to 2 acres for a Tier I facility and 5 to 7 acres for a Tier II and/or a Tier III facility.

Due considerations must be given to the site selection in coordination with the site considerations that are recommended by the United States Green Building Council (USGBC). Sites need to be selected to provide minimum impact to the existing eco systems, historical, cultural and religious heritage.

Electric power, communications, water and waste water connections are required at the site. An above ground water storage tank is required as needed.

Automobile fueling is not desirable at these facilities, so there will be no need for fuel tanks or fuel pumps at the site.

A sewage lift pump station will be required.

A perimeter security fence will be required.

7. Religious considerations

A 'Sweat Lodge' should be provided, located at least 50 feet from the building exterior of Tier II and Tier III facilities. Other healthcare consultations and spiritual meetings will be provided inside the Tier II and Tier III facilities.

Tier I Schematic³

Tier I is a substation and a booking and holding 48-hour facility.

Entrance to the facility for visitors is through the main lobby. Entrance for the inmates is through the Sally port on the side. A separate side entrance specific for the law enforcement is also provided. This side entrance also facilitates transporting the food to the combination warm-up kitchen and staff lunch room.

The police section provides for offices and work stations for the police. A separate squad room is available for police activities. The police section is independent but connected to the holding facility.

The Sally port for the inmates leads to the booking and intake area. The entry vestibule will provide for weapon storage prior to entering the facility processing area. Shower and dressing room for the inmates is available adjacent to the processing area. Four holding cells are located adjacent to the processing area.

The Central Control Station is located in the approximate center of the facility.

A Video Court is located at the approximate center of the facility so that it is accessible from the holding cells in the processing area or from the inmate dormitories.

Separate male adult and juvenile dormitories are provided. Separate female adult and juvenile dormitories are also provided. Each dormitory has a direct-supervision control officer's station. A wash-room and a day-room are provided within each dormitory.

Each dormitory opens into the outdoor recreation yard.

³ Based on (1) American Correctional Association (ACA), Planning and Design Guide -- For Secure Adult and Juvenile Facilities, 1999 and (2) Programming interviews at field facilities and OJS-BIA.

Tier II Schematic⁴

Tier II is a larger facility and serves as a 'Combination Detention/Corrections, Law Enforcement and Court Facility'.

Entrance for the visitors to the Courts and inmate visitation is through the main lobby. Entrance for the inmates to the corrections area is through the Sally port on the side. Entrance to the police and dispatch is through a separate lobby. There is loading dock with side entrance for deliveries that lead into the kitchen freezer, coolers and dry goods storage area.

Corrections and Rehabilitation is provided in dormitory-type direct-supervision pods separate for male adults, male juveniles, female adults and female juveniles. Each inmate pod provides for washroom facilities and day room facilities. The central control room overlooks the Sally port. Immediately adjacent are the adult and juvenile inmate intake and booking areas. These areas also provide for washrooms, holding cells and property storage for the processing of inbound inmates.

A Rehabilitation pod provides for classrooms, craft-rooms, indoor recreation and offices for instructors. A gymnasium space with attached multipurpose room is also provided. Outdoor recreation is provided adjacent to each independent pod. The healthcare clinic section is located directly across and provides for counseling room, exam room, emergency care, nurse's stations, medications storage and medical records room. Two types of visitation are provided for the inmates. These include video-visitation and face-to-face visitation.

Court facilities are provided with a formal courtroom with typical spaces for the judge, jury, witnesses and the audience. A jury room, Judge's chambers and clerical staff for the judge is provided. Assistance is provided to the visitors through the court reception room. General visitors and audience may enter directly to the courtroom through the front lobby.

Law enforcement facilities include separate entrance into law enforcement offices. In addition to private offices and open offices, this area also includes conference room, muster room, a work-out room, dispatch and an armory. Wash rooms and lockers are provided for female and male officers.

The facility also provides for a kitchen that can serve sufficient meals for the inmate population. The kitchen space is accessible directly from the food manager's office and the nutrition manager's office. A loading dock facilitates deliveries to the freezer, coolers and dry-goods storage adjacent to the kitchen.

A commercial laundry is provided with sufficient washers and dryers to launder inmate clothing and linen.

Storage spaces are provided for law enforcement, corrections and courts. In addition, 'evidence storage' space is provided within the law enforcement area. Space for an armory is separate and secure from all other spaces.

⁴ Based on (1) American Correctional Association (ACA), Planning and Design Guide – For Secure Adult and Juvenile Facilities, 1999 and (2) Programming interviews at field facilities and OJS-BIA.

Tier III Schematic⁵

Tier III facilities are large and serve as, 'Regional Corrections and Video Court Facility'. These facilities will also serve as a resources and distribution center for the region.

Employee and visitor entrance is through the main lobby. Entrance to the facility for inmate visitation is through a separate lobby. Inmate entrance is provided through the Sally port to the side of the facility.

The central control room overlooks the Sally port. Immediately adjacent to the control room is the adult and juvenile inmate processing, intake and booking areas. These areas also provide for washrooms, holding cells and property storage for the processing of inbound inmates.

A video court is located in a central location that is accessible to adults and juveniles.

The central administrative offices consist of private offices and open offices. A training room is provided that serves the local region with their training needs. A separate muster room serves as the hub of activities specific to the facility and the region.

Corrections and Rehabilitation is provided in dormitory type direct-supervision pods separate for male adults, male juveniles, female adults and female juveniles. Each inmate pod provides for washroom facilities and day room facilities.

A Rehabilitation pod provides for classrooms, craft-rooms, computer literacy room, indoor recreation and offices for instructors. A gymnasium space with attached multipurpose room is also provided. Outdoor recreation is provided adjacent to each independent pod. The healthcare clinic section is located across from the inmate dormitories and provides for counseling room, exam room, emergency care, nurse's stations, medications storage and medical records room. Two types of visitation are provided for the inmates. These include video-visitation and face-to-face visitation.

The facility provides for a kitchen that can serve sufficient meals for the inmate population and provide pre-cooked food for Tier I facilities. The kitchen space is accessible directly from the food manager's office and the nutrition manager's office. A warehouse is located adjacent to the kitchen. The warehouse serves as the distribution hub for dry goods, supplies, linen and food that will be purchased in bulk quantities and warehoused at this facility. An office for the warehouse manager and logistics officer is provided in the warehouse. A common loading dock serves the warehouse and the kitchen for inbound deliveries of bulk purchases of dry goods and food to the freezer, coolers and dry-goods storage adjacent to the kitchen. The loading dock also provides for the pickup of food, dry goods, linen and supplies outbound to other facilities.

A commercial laundry is provided with sufficient washers and dryers to launder inmate clothing and linen.

⁵ Based on (1) American Correctional Association (ACA), Planning and Design Guide – For Secure Adult and Juvenile Facilities, 1999 and (2) Programming interviews at field facilities and OJS-BIA.

Facilities Construction Criteria - Appendix G 2⁶

Appendix G 2 is a follow-up of Appendix G 1 which provides a schematic of the Tier I, Tier II and Tier III facilities.

Construction criteria are developed to provide a framework for a working document that will establish uniformity and standards throughout the facilities program. Variations may be incorporated based on local weather and site conditions.

The criteria are based on the GSA standards and recommendations from the Leadership in Energy and Environmental Design (LEED®), developed by the United States Green Building Council(USGBC).

All BIA projects are to use and achieve a certified rating from the U.S. Green Building Council's Leadership in Environmental and Energy Design (LEED®) green building rating system.

Replacement of Existing Facility – Requirements - Appendix H

Appendix H is a follow-up of Appendix G which presented the Integrated and Structured Replacement of existing facilities as a "Tiered" approach to meet the needs of justice services. The appendices H1, H2, H3 and H4 provide a cumulative assessment of existing conditions in the justice system. Prior appendices B, C, D, E and F provided an assessment of the programs and facilities of a sampling of Tribal, PL 638, Self Governance and BIA facilities. These appendices lead into Appendix H5 which presents the requirements for replacement facilities and Capacity Upgrade of existing facilities.

Service Calls and Arrests in 24-Hour Period - Appendix H1⁷

This appendix tabulates the number of service calls received in a 24 hour period. Note the striking disproportionate number of arrests that are made for the number of calls that are received in the 24 hour period.

New Bookings and Already Housed Inmates - Appendix H2⁸

Once arrested, inmates are booked and/or released based on available food and bed space. Typically, already housed inmates are released to make room for new arrivals. Often the numbers of new arrivals overwhelm the available capacity making for a high turnover rate. An unwritten understanding of either not arresting, not booking, housing for a few hours, or not housing at all, is prevalent — to circumvent appropriate available housing for inmates.

Under-Reported Inmate Over-Crowding, One-Day Sampling - Appendix H3⁹

The number of inmates housed often exceeds the bed capacity, at times up to five times the capacity. Consent court decrees are often violated. Inmates are often released at dawn, before the formal inmate count is taken. The number of inmates housed is often under-reported to management for fear of a potential closing down of a facility.

⁶ For the first time a framework of a working document for a Construction Criteria is developed that integrates the LEEDs recommendations into a conventional design and implementation process.

⁷ Information obtained from OJS-BIA field offices, November 2007.

⁸ Information obtained from OJS-BIA, June 2007.

⁹ Information obtained from OJS-BIA June 2007.

Jails in Indian Country Operating above 150% of Capacity on the Peak Day during June 2004 Appendix H4¹⁰

This appendix is a reference from the U. S. Department of Justice, Bureau of Justice Statistics, Bulletin, "Jails in Indian Country, 2004" November 2006, NCJ 214257. As of September 12, 2007, Mr. Todd D. Minton of the DOJ indicated that they do not have more recent information than that provided in this reference.

Replacement of Existing Facility – Requirements 2007 – 2017 - Appendix H5¹¹

Based on functional need, location, and criminal traffic Facility Types are assigned for the construction of replacement facilities at the locations that are tabulated geographically. The capacity of the facility takes into consideration the projected needs for justice services and inmate capacity 10 years from now. The inmate capacities were developed based on the present inmate population, inmate population without negotiated releases, population trends, and correspondence of incarceration with the population trends.

The Appendix also refers to the 'Categories' for each location of a facility, as it relates to the administrative jurisdiction and the complex nature of contractual agreements that govern the sovereign tribes and their relationships with the government of the United States. These categories are indicated as:

- 1) A = PL-638 Contract relationship.
- 2) B = BIA.
- 3) C = Tribal.
- 4) D = Self Governance.

Often more than one category applies to a given 'site' for administrative purposes.

The relationships and internal governance of the sovereign tribes is flexible and changes over time. Thus the categories could only be ascertained as a 'snapshot' of understandings and agreements at the time of this report.

This appendix also refers to 'Inventory' which indicates that a particular site is in the 'BIA inventory' of facilities for which the BIA is responsible for repairs and maintenance. Only 63 sites are in the BIA inventory.

This appendix also refers to 'District' which indicates the administrative District for Justice Services within the United States. There are six BIA administrative districts serving the United States.

The appendix also refers to the tribes that are served by a given facility. Tribes are not necessarily clustered or collocated at a cohesive location. Often tribal populations are scattered over several hundreds of miles or are grouped within another tribal jurisdiction. These populations may be served by more than one district under multiple agreements within the categories noted earlier. They may have collocated facilities some of which may be in the BIA inventory while other facilities may not be in the BIA inventory.

Populations that require service at the reservations are different than any other urban or rural group in that the local law enforcement and detention services are needed for the seasonal tourist trades during

¹⁰ "Jails in Indian Country, 2004", U. S. Department of Justice, Bureau of Justice Statistics Bulletin, November 2006 NCJ 214257.

¹¹ Information obtained from: (1) U. S. Census Bureau 2000 census, (2) OJS-BIA Corrections and Law Enforcement, (3) Field Interviews with local officials and (4) Telephone Interviews with local officials.

the fall and winter festivals and the summer months. Local population during these times increases three to five folds than what is indicated by the conventional census and demographics.

At the Navajo Nation the 2000 census reports a population of 180,462¹². However, it is estimated by the Department of Tourism that the population approximates 1,000,000 during the summer tourist season at the Navajo Nation. The local services providing resources which do not increase with the season are heavily taxed.

Furthermore there is reason to believe that the 2000 census underestimates the population at the Navajo Nation. Example: 2000 census underreported the population¹³ at the Navajo Nation. Chapter Images 2004 states in part, "...the Census Bureau did not take into consideration the legal definition of "Indian Country" and its potential implications and impact on Navajo Nation Government's role as service provider, policy maker, and land user within said Eastern Navajo Agency Chapters. The Navajo Nation did not contest the results of the census 2000 because this census was the best population count ever taken on the Navajo Nation."

A distinction was made between the 2000 census population, 2000 enrolment population, and 2007 service population. Beginning with the most conservative population of 2000 census, an understanding of the dynamics of demographics, interviews with law enforcement officials and the community at large, a conservative forward projection was made to arrive at the service population for 2017.

Courts have been helpful and cooperative in either not sentencing, or keeping the duration of such detention to a minimum to offset the lack of bed space. An informal survey of judges indicated that had there been more bed space, they would sentence an additional 25% of the number being sentenced to imprisonment.

The tabulation in Appendix H5 includes the existing bed capacity, known overcrowding, known 25% extra bed needs held back by judges, 2000 census, service population for 2007 and projected service population for 2017, projected inmate population for 2017.

Data on the crime rate and the incarceration factor for 2007 is included from Appendix H6 for a comparison to the projected incarceration factor for 2017. The incarceration factor for 2017 – averaging 38% of incarceration factor of 2007, together with the projected service population for 2017 provided a projected inmate population for 2017.

The size, capacity and locations for Tier I, Tier II and Tier III and the need for Capacity Upgrades were based on the collective preponderance of information derived from the projected inmate population for 2017, needs for law enforcement, needs for courts in addition to video courts (interconnected to tribal courts) in Tiers I and III, remoteness of location combined with the availability of housing to attract long-term employees.

Master Planned replacement facilities for 2017 incorporate an incarceration factor that is 38% of the present incarceration factor for 2007. It is assumed that alternatives to incarceration will reduce the need for facilities between one-half to one-third of the present demand. This appendix tabulates the needs for replacement of existing facilities to be built from the year 2007 through the year 2017 for needs that are expected to last over the next forty years.

¹² Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Table 5: Profile of General Demographic Characteristics, P. 17

¹³ Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Use of Census 2000 Disclaimer, P. 11

The physical locations of these facilities are mapped out in Appendix O and their capital costs are noted in Appendix N.

Crime Statistics 2007 – Appendix H6¹⁴

This appendix provides crime rate for 1) Violent Crime, 2) Property Crime and 3) All Other Crime. The Crime Rate per 100,000 inhabitants is very high. This data does not include about 50% unrecorded/released offenders and yet another 25% offenders held back by the judges.

An incarceration factor was developed in Appendix H6 based on the reported crime data. This factor though high would be higher if the unreported and 'un-housed inmates' were considered in this calculation.

Data from 1) Violent Crime, 2) Property Crime and 3) All Other Crime and the Incarceration Factor for 2007 is reported back into Appendix H5 to provide a comparison with the Incarceration Factor used for 2017.

The data includes 68% or 164 agencies that reported.

Detailed Construction Costs Analysis for Fourteen Types of Facilities - Appendix I¹⁵

Detailed Construction Costs have been calculated for the fourteen individual Facility Types. The construction cost is based on the best forecasted value of 'Year 2011 dollar'. The cost does not take into consideration the cost of land. Approximately 5 to 7 acres will be needed for a single/two story facility relatively away from the business and residential center.

The cost does include environmental remediation or removal of the existing building.

The cost takes into consideration the cost for developing the local site – which is expected to be away from the present site, and a utilities infrastructure from the physical facility to its boundaries. There may be additional costs to develop a sewage treatment lagoon/plant and/or extensive extension of the sanitary sewer lines and potable water lines, electrical and communication utilities and maintenance roadway.

The costs are identified as hard costs and soft costs. The hard costs refer to the actual tangible products that are required for the material goods and construction. The soft costs refer to the services that are required to support hard costs.

Costs are based on R.S. Means, Saylor and National Construction Data. These costs have been adjusted to incorporate additional costs that are needed to serve remote locations and the scarcity of goods and services in such locations.

All costs are developed based on the 2007 costs escalated to June 30, 2011. Additional escalations need to be added up to the midpoint of construction cycle cost, once the construction cycle and duration has been determined.

Average life expectancy of the facility with appropriate repairs and maintenance is forty years. However, with care, the facilities could last over 100 years.

¹⁴ Information obtained from OJS-BIA, March 2008

¹⁵ Information obtained from: (1) R. S. Means, Building Construction Cost Data 2007, 2006, (2) National Construction Estimator, 53rd edition 2005, (3) National Building Cost Manual, 30th edition 2006, and (4) Saylor Current Construction Costs, 42nd edition 2005.

Annual Facilities Operations and Maintenance Costs Analysis - Appendix J¹⁶

The recurring annual capital costs for the operations and maintenance of facilities are calculated from historic costs and then projected forward for the new facilities based on the size of the facility and projected escalation from inflation in future years. The costs are summarized with appropriate backup in Appendices J1 and J2.

Appendix J 1 -- Annual Facilities Operations and Maintenance Costs includes calculations for the projected costs escalated to year 2011. An adjustment was made to account for very small facilities that have high fixed costs for operations relative to their size.

Appendix J 2 -- Analysis for annual capital costs for the Facilities' Operations and Maintenance for facilities in the BIA inventory. Averages for site operations and maintenance were determined and then escalated to the year 2011 in Appendix J 1.

These costs are later used in Appendix L -- Unit Costs, to calculate the Facility Operations and Maintenance requirements for the fourteen types of facilities for Tier I, Tier II and Tier III.

Annual Program Operations Costs Analysis - Appendix K¹⁷

The recurring annual capital costs for the Program Operations are analyzed for staffing, food, healthcare and educational programs, consumable supplies, durable supplies and transportation. These operations costs are calculated as a percentage of the initial capital cost of the facility, which in itself is based on the functions that it will serve.

The supporting funding to operate a facility, once it is opened is noted in Appendices J and K. As a percentage of the initial capital cost, the recurring annual costs for Tiers I, II and III are as follows:

Recurring Annual Cost for Tier I facilities: 17.67% of initial capital cost
 Recurring Annual Cost for Tier II facilities: 8.68% of initial capital cost
 Recurring Annual Cost for Tier III facilities: 11.75% of initial capital cost

The individual Program Operations Costs for Tier I, Tier II and Tier III are extended for each of the fourteen Facility Types, in Appendix L as Unit Costs. The Unit Costs in Appendix L are later used in Appendix N to extend the Facility Operations and Maintenance and Program Operations over the 40 year life of the facility.

Unit Capital Costs - Appendix L

Unit Capital Costs are developed for the Initial Capital Costs for each Tier and Type of Replacement Facility. These include:

Unit Capital Costs Summary - Appendix L 1¹⁸

- 1) Initial Capital Costs for Construction of the fourteen Facility Types
- 2) Annual Facility Operations Costs
- 3) Annual Programs Operations Cost

¹⁶ Information obtained from Operations and Maintenance history at OFMC-BIA. Escalations are based on Inflation data from Federal Reserve.

¹⁷ Information based on (1) Program Operations market cost from field interviews at BIA and Tribal facilities, (2) National Institute of Corrections (NICIC) Budget Guide for Jail Administrators and (3) Gap Analysis (Staffing Shortfall) OJS-BIA January 2006: Average Officer's annual salary 2011- \$54,000/FTE.

¹⁸ Information based on Appendices G, I, J, K and L2

Details for Unit Capital Costs - Appendix L 2¹⁹

These details include items not customarily included in facility construction costs such as:

- 1) Initial Capital Costs for housing for 20% of the employees.
- 2) Extraordinary soft costs including liability insurance, local taxes, documentation for accountability and in-house project management by the government.

Figures from the last column L are transferred to Appendix L 1 to develop the summaries for unit capital cost for initial capital cost for each tier and each type of facility within a tier as well as Capacity Upgrades, Annual Facility Operations costs and Annual Programs Operations cost.

Summary Unit Capital Costs from Appendix L 1 are later used in Appendix N to develop the ten year 2007 – 2017 capital spending plan and the 40 year capital support required for the replacement justice facilities.

Deferred Repairs and Maintenance Costs Analysis - Appendix M²⁰

Existing facilities need to stay functional, while the new Capital Cost Replacement Facilities program is underway between the year 2007 and year 2017. Deferred Repairs and Maintenance need to be undertaken during this transition period.

Detailed Repairs and Maintenance Costs have been calculated by (1) Observing deficiencies during actual site visits and calculating costs, (2) Updating FMIS records by site personnel through training by BIA, and (3) Extrapolating costs using the database created and validating telephone calls for non visited sites.

The costs take into consideration the age, physical space and remoteness of the facility to the availability of skilled services.

Deferred Repairs and Maintenance Costs – Inventoried Facilities, - Appendix M1²¹

This appendix provides the Deferred Repairs and Maintenance Costs for Inventoried Facilities.

Through a formal acceptance process, these facilities have been included as BIA inventory facilities. These facilities include Tribal, Self Governance, PL 638 and BIA facilities.

Deferred Repairs and Maintenance Costs – Non-Inventoried Facilities, - Appendix M2²²

This appendix provides the Deferred Repairs and Maintenance for Non - Inventoried Facilities. These facilities have not been included as BIA inventory facilities. These facilities include Tribal, Self Governance, and PL 638 facilities.

Deferred Repairs and Maintenance Costs Details for Existing Facilities - Appendix M3²³

This appendix provides detailed cost calculations for the deferred repairs and maintenance of existing facilities that were visited.

¹⁹ Information based on (1) Appendix I and (2) Extraordinary costs for facilities constructed in Indian Country: Historical Data from OFMC-BIA.

²⁰ Information obtained from (1) R. S. Means, Building Construction Cost Data 2007, 2006 and (2) R. S. Means, Repair and Remodeling Cost Data 2007.

²¹ Information obtained from OFMC-BIA September 2007 and costs based on (1) R. S. Means, Building Construction Cost Data 2007, 2006 and (2) R. S. Means, Repair and Remodeling Cost Data 2007.

²² Information obtained from OIS-BIA November 2007 and costs based on (1) R. S. Means, Building Construction Cost Data 2007, 2006 and (2) R. S. Means, Repair and Remodeling Cost Data 2007.

²³ Information obtained from (1) R. S. Means, Building Construction Cost Data 2007, 2006, and (2) R. S. Means, Repair and Remodeling Cost Data 2007.

The Deferred Repairs and Maintenance Cost noted above is used in Appendix N that calculates the composite costs for the master planned program.

Composite Capital Cost Requirements Analysis - Appendix N²⁴

The composite capital costs requirements are tabulated for Repairs and Maintenance of Existing Facilities, Initial Capital Cost for Replacement of Existing Facilities, Facility Operations and Maintenance Costs for forty years and Program Operations Cost for forty years.

These costs are analyzed and organized by the requirements for replacement of existing facilities by functionality needs for Tiers I, II and III. They are organized by geographic locations, tribes that will be served, present categories of administration, BIA inventoried and non-inventoried facilities and administrative districts of Justice Services.

Noted on the first two pages is the summary breakdown of the TOC - Total Ownership Cost outlay which is the composite sum of the initial capital cost (in Year 2011 dollars) for the facility and the recurring capital cost (in Year 2011 dollars) for the facilities' Program Operations over 40 years and the Facilities Operations and Maintenance over the 40 year life of the building.

As distinct from other government-operated justice facilities such as State and County facilities, the total ownership capital cost TOC is unique for the justice facilities in Indian Country, for once they are constructed, they do not have a method of generating revenue from an independent tax base, to support their Program Operations or Facilities Operations & Maintenance related to the facility operation of utilities, repairs and maintenance.

Once constructed, these facilities extend a continuous fiscal obligation of the ownership over the life of the facility. Thus it is essential to consider and appropriate this cost at the beginning of the program and disburse it annually over the life of the facility.

This appendix provides a composite capital cost requirement for the Master Planned Justice Services for the safety and security in Indian Country.

Location Maps of Facilities Addressed in Master Plan - Appendix O

This appendix provides maps of the United States that depict the locations for planned replacement of existing facilities, as well as existing facilities that are addressed in the Master Plan.

These maps depict: (1) Facilities Requiring Deferred Repairs and Maintenance, (2) Replacement Tier I facilities, (3) Replacement Tier II facilities, (4) Replacement Tier III facilities (5) Facilities requiring Capacity Upgrade and (6) Composite map of all facilities addressed in the Master Plan.

Each of the maps also provides a detailed reference legend to identify (1) Tribal Facilities, (2) PL-638 Facilities, (3) Self-Governance Facilities and (4) BIA facilities.

²⁴ Information extended from Appendices G, H, I, J, K, L and M.

List of Appendices

- Appendix A - Chronological Progress
- Appendix B -- List of Facilities Assessed
- Appendix C - Individual Assessment Reports
- Appendix D - Findings at Existing Facilities in 34 Key Categories
- Appendix E - Critical Concerns -- Pictorials
- Appendix F -- Dispose / Improve / Repair (DIR) -- Numerical Assessments
- Appendix G - Structured Replacement of Existing Facilities for Justice Services
- Appendix H - Replacement of Existing Facility Requirements
- Appendix I - Detailed Construction Costs Analysis for Fourteen Types of Facilities
- Appendix J - Annual Facilities Operations and Maintenance Costs Analysis
- Appendix K - Annual Program Operations Costs Analysis
- Appendix L - Unit Capital Costs
- Appendix M - Deferred Repairs and Maintenance Costs Analysis
- Appendix N -- Composite Capital Cost Requirements Analysis
- Appendix O -- Location Maps of facilities Addressed in Master Plan

Appendix A
Chronological Progress

This appendix provides a chronological summary of the sequence of events of the Master Plan over the past 27 months. The summary also provides a forward projection of the sequence of events that are anticipated and are currently in progress. This chronology is a snapshot as of the publication date of the final report, May 29, 2008.

Chronological progress update

Because of the urgency of the need for safety and security in Indian Country, the entire effort during Phase I and Phase II has been expedited and has been 'fast-tracked' by all departments within the BIA and Shubnum.

A chronological progress update for the effort is as follows:

February 2006 to September 2006

- Completed assessments including data-gathering with site investigations, meetings and site interviews for each of the 38 sites.
- Completed the digital Photographic Record documentation of the interiors and exterior of existing facilities for each of the 38 sites approximating 6200 photographs.
- Completed Program and Facility evaluation report for each of the 38 sites.
- Completed the Facility Condition Index FCI for each of the 38 sites.
- Compiled the consolidated costs for each facility including deferred repairs and maintenance cost, same size replacement facility cost, and new facility cost for the 38 sites.

September 2006 to October 2006

- Presentation of findings at the conference with Department of Justice in Albuquerque. Discussion on the fallacy of funding new facility construction without follow-up funding for the associated program operations and operations for repairs and maintenance over the life of facilities – that do not have an operating revenue source for their continued operations. Fallacy of facilities' dependence on grants, corporate charitable contributions, NGO Charities, community donations and family contributions to support justice services in the Native American country.
- Presentation of the impact of the safety and security of officers and inmates resulting from inadequate facilities and funding for the Program Operations and Facilities' Operations and Maintenance
- Presented summary of findings and recommendations to Mr. Chris Chaney.

November 2006

- Submitted the consolidated 'Interim Report – 111606' for all of the data gathered, findings, conclusions, costs and recommendations.

December 2006

- Presented the consolidated interim report to senior management in Albuquerque.
- Discussions on finding comprehensive long-term solutions based on the assessments thus far.
- Discussion on preliminary evaluations and prioritizing future work resulting from the assessments.

January 2007

- Presentation of the consolidated interim report to senior management and Director Mr. Pat Ragsdale in Washington, DC.
- Discussion on primary evaluation and prioritization of future work during the presentation.

- Evaluations and prioritizing future work based on the interim report.
- Continued evaluations of the existing 38 facilities based on data gathered during Phase I.
- Need for additional reviews and studies of justice facilities other than the 38 facilities studied thus far. Development of operations repairs and maintenance costs and program operation costs.
- Considerations for shortfalls in funding of the program and facility-needs thus far.
- Closing down facilities or contracting out beds is not a long-term solution because of the interdependence of corrections and detention with law enforcement and courts.
- Need for consolidation of all needs for capital costs for all justice services for tribal, self-governance, PL- 638 and BIA programs over the next forty years, throughout the United States.
- Develop comprehensive, integrated and global solutions for the long-term safety and security of all programs, individuals and facilities within justice services.

February 2007 continued past assessments

- Completed evaluations of the existing 38 facilities based on data gathered during Phase I. Development of the Decommissioning matrix for the facilities that established priority for future recourse.
- Refined Master Facility Inmate and staff data for 38 facilities
- Refined TOC- total ownership costs for 38 facilities.
- Continued reviews of repairs and maintenance costs and funding in the context of mounting deferred maintenance.

February 2007 continued future long-term developments

- Meetings and coordination with Facilities and OJS - Corrections, Law Enforcement, and Courts to include all capital cost requirements for Justice Services for all BIA, self-governance, tribal and PL- 638 programs
- Established parameters for surveys and data gathering of facilities for justice services requirements and those not included in the original 38 facilities.

March 2007

- Continued review of repairs and maintenance needs at the BIA facilities.
- Planning for an OMB presentation based on the Presentation to the Director in January 2007.
- Developed costs for the replacement of Law enforcement, detention/corrections and court facilities that will be affected by the decommissioning of existing facilities based within the 38 facility study.

April 2007

- Draft development of structured facility requirements for facilities within the BIA, PL- 638, self-governance and tribal programs.
- Development of needs for facilities for the future based on decommissioning and the foreseeable 10 year projected needs of the tribes, locations and traffic.

- Development of 'Facilities Programming Criteria' for 1) Law Enforcement Facilities 2) Full Court, Arraignment Court and Video Court facilities and 3) Booking and Holding Detention and Corrections Facilities

May 2007

- Development of Facilities Programming for 1) Law Enforcement Facilities 2) Full Court, Arraignment Court and Video Court facilities and 3) Booking and Holding Detention and Corrections Facilities
- Development of Progress presentation for June 8 presentation for senior management in Washington D.C.
- Developed a structured three-tiered system for a range of 28 types of facilities to meet the potential 10-year projected needs for detention, corrections, law enforcement and courts.

June through and August 2007

- Completion of Projected needs and surveys for 1) Law Enforcement Facilities 2) Full Court, Arraignment Court and Video Court facilities and 3) Booking and Holding Detention and Corrections/Rehabilitation Facilities.
- Completion of Facility assignments for individual Tier and Type for specific locations for facilities within the BIA, PL-638, self-governance and tribal programs. Used 14 types of facilities within the three-tiered system.
- Completion of detailed capital construction costs for all replacement facilities.
- Completion of initial capital costs requirements for projected needs for repairs and maintenance of existing facilities and replacement facilities, phased over 10 years.
- Completion of requirements for Facility Repairs, Maintenance and operations costs for the 40 year operating life of the facilities.
- Completion of the requirements for Program Operations costs for the 40 year operating life of the facilities
- Completion of the TOC – Total Ownership Costs of the facilities
- Presentation of the Interim Report – 081007
- Follow-up comments from the government on the Interim Report - 081007

September, October, November and December 2007

- Completion of revisions on the Interim Report resulting from the comments.
- Completion of detailed maps for facilities
- Presentation of Interim Report 091007.
- Completion of the December Interim Report for the Master Planning.
- Briefings to senior management on December 6, 2007 in Washington D.C.
- Completion of the Phasing Plan for 1) Decommissioning, 2) Continued operation of existing facilities and 3) Construction activity – over a ten-year period with a concurrent: Phase I, 2 years of activities, Phase II, 4 years of activities and Phase III, 4 years of activities
- Briefings to senior management week of December 10, 2007
- Assistance with a 5 year Interim Budget for Initial Capital Outlay for construction of 22 facilities

January 2008

- Completion of a Facility Schematic floor plans and elevations for typical Tier I, Tier II and Tier III facility.
- Completion of Facilities Construction Criteria
- Completion of the prioritization for the replacement facilities over the 2-year, 4-year and 4-year phases.
- Revisions and adjustments to the December Interim Report based on comments and consultations.
- Assist with the in-house 'Activation Plan' within the BIA to support the Master Plan.
- Assist senior management with reviews and comments on the Master Plan.

January 2008 through May 2008

- Final editing and Production of the Master Plan
- Presentation of the Final Report 'Master Plan for Justice Services in Indian Country to BIA
- Preliminary review with DOI, DOJ and OMB
- Preliminary review with Congressional Committees
- Incorporate comments to the Master Plan
- Final editing and Production of the Master Plan with incorporated comments
- Assist with preparation and publication in the Federal Register and preparation for tribal consultations over the next 120 days

Planned June 2008 through September 2008

- Assist BIA, DOJ and HUD with the task force, preparations and assistance to the tribes with training of local tribal skills needed to implement the Master Plan at a local level.
- Presentations and consultations with tribal members at local sites

List of 38 Facilities that were assessed
--

Appendix B**List of Facilities Assessed**

During 2006, 38 facilities were assessed for the Justice Programs and Facility Assessments. This list included a sampling of Tribal, PL-638, Self Governance and BIA administered facilities located throughout the United States. Additional details for this listing are noted in Appendices C, D, E and F that follow.

List of 38 Facilities that were assessed
--

List of 38 Facilities that were Assessed

Sites Assessed	Facility Ownership
Great Plains District	
A. White Shield Law Enforcement Center-Fort Berthold, N.D. 58540	Tribal/638
B. Kyle Law Enforcement Center (Adult)-Pine Ridge, S.D. 57752	BIA
C. Loneman(Oglala) Law Enforcement Center-Pine Ridge, S.D. 57770	BIA
D. Porcupine Law Enforcement Center-Pine Ridge, S.D. 57772	BIA
E. Wamblee Law Enforcement Center-Pine Ridge, S.D. 57577	BIA
F. Rosebud Detention Center-Rosebud, S.D. 57570	BIA
G. Fort Totten Detention Center-Spirit Lake, N.D. 58335	Tribal/638
Rocky Mountain District	
A. Crow Law Enforcement Center-Crow Agency, Montana 59022	BIA
B. Fort Peck Law Enforcement Center-Poplar, Montana 59255	Tribal/638
C. Northern Cheyenne Law Enforcement Center-Lamedeer, Mt. 59043	BIA
D. Wind River Detention Center-Fort Washakie, Wyoming 82514	BIA
E. Blackfeet Police Department-Browning, Montana 59417	BIA
F. Flathead Detention Center-Pablo, Montana 59855	Tribal
Midwest District	
A. Nett Lake Law Enforcement Center-Nett Lake, Minnesota 55772	Self Govern
B. Keshena Law Enforcement Center-Keshena, Wisconsin 54135	Self Govern
Western District	
A. Fort Apache Detention Center-Whiteriver, Arizona 85941	BIA
B. Tohono O'odham Nation Detention Center-Sells, Arizona 85634	BIA
C. San Carlos Detention Center-San Carlos, Arizona 85550	BIA
D. Hopi Correction Center-Keams Canyon, Arizona 86034	BIA
E. Colorado River Tribal Detention Center-Parker, Arizona 85344	Tribal
Navajo District	
A. Western Detention Center-Tuba City, Arizona 86045	Tribal/638
B. Chinle Youth Corrections Center-Chinle, Arizona 86503	Tribal/638
C. Kayenta Detention Center-Kayenta, Arizona 86033	Tribal
D. Shiprock Adult Detention Center-Shiprock, N.M. 87420	Tribal
E. Tohatchi Youth Detention Center-Tohatchi, N.M. 87325	Tribal
F. Tuba City Detention Center-Tuba City, Arizona 86045	Tribal
G. Window Rock Adult Corrections Center-Window Rock, Arizona 86515	Tribal
H. Dilkon Detention Center-Dilkon, Arizona 86515	Tribal
I. Chinle Adult Detention Center-Chinle, Arizona 86503	Tribal

List of 38 Facilities that were assessed
--

Northwest District

- | | |
|---|----------------------------|
| A. Warm Springs Detention Center-Warm Springs, Oregon 97761 | BIA |
| B. Spokane Law Enforcement Center-Wellpinit, Washington 99040 | BIA |
| C. Quinault Detention Center-Taholah, Washington 98587 | Tribal/BIA/
Self Govern |
| D. Fort Hall Detention Center-Fort Hall, Idaho 83023 | Tribal |
| E. Puyallup Detention Center- Tacoma, Washington 98404 | Tribal |
| F. Yakama Police Department-Toppenish, Washington 98948 | Tribal |
| G. Nisqually Police Department-Olympia, Washington 98513 | Self Govern |

Southwest District

- | | |
|--|--------|
| A. Laguna Tribal Detention Facility-Laguna, New Mexico 87026 | Tribal |
| B. Taos Tribal Detention Center-Taos, New Mexico 87571 | Tribal |

DRAFT

Appendix C

Individual Assessment Reports

This Appendix provides detailed reports of the Program and Facility assessment of each of the 38 sites that were visited.

It is important to understand the background for each of these site locations, since justice services are interdependent with the community at large, for which such services are provided. Thus each individual report begins with Section 1 which provides the background information that includes: Location, land mass, population, labor force, physical description, climate, government structure, business structure, physical infrastructure, and community services that include healthcare and education.

Section 1 is followed with Section 2 that provides an assessment of the Program. This is followed with Section 3 that provides an assessment of the facility.

Section 1

**Background Information
of the
Spirit Lake Reservation
Served by the Fort Totten Detention Center**

Spirit Lake Reservation¹

(Formerly Fort Totten Reservation and Devil's Lake Reservation)

Federal reservation

Mni Wakan Oyate Sioux

Benson, Nelson, Ramsey, and Eddy counties, North Dakota

Spirit Lake Sioux Nation

816 Third Avenue North

Fort Totten, ND 58335

701-766-4221

701-766-4126 Fax

Website: spiritlakenation.com

Total area (BIA realty, 2004) 67,821.87 acres

Total area (Tribal source, 2004) 245,141 acres

Tribally owned (BIA realty, 2004) 34,382.19 acres

Tribally owned (Tribal source, 2004) 31,573.59 acres

Federal trust (BIA realty, 2004) 343 acres

Individually owned (BIA realty, 2004) 33,096.68 acres

Allotted (Tribal source, 2004) 33,410.51 acres

Other (Tribal source, 2004) 8,750 acres

Population (2000 census) 4,435

Tribal enrollment (BIA labor report, 2001) 4,948

Total labor force (2000 census) 1,642

Total labor force (BIA labor report, 2001) 2,413

High school graduate or higher (2000 census) 70.5%

Bachelor's degree or higher (2000 census) 9.9%

Unemployment rate (2000 census) 17.5%

Unemployment rate (BIA labor market report, 2001) 65%

Per capita income (2000 census) \$8,392

¹ Excerpts provided under license and permission to Shubnum, from Tiller Research, Inc. Tiller's Guide to Indian Country: Economic Profiles of the American Indian Reservations, 2005 Ed.

LOCATION AND LAND STATUS

Spirit Lake Sioux Reservation, formerly known as Devil's Lake and/or the Fort Totten Reservation, is located in east-central North Dakota, largely in Benson County, with smaller holdings in Ramsey, Eddy, and Nelson counties. The reservation is divided into four political districts: Fort Totten, Mission, Woodlake, and Crowhill.

The original reservation was established by treaty in 1867, encompassing nearly 221,000 acres. About 136,000 acres were allotted for 1,205 tribal members, 88,000 acres were relegated to "surplus" status for sale to white settlers, and 2,350 acres were set-aside for missions and schools. By 1937, Indian allottees had sold over 80,000 acres of their initial allotments. Subsequent federal purchases during the 1950s and tribal purchases have increased Indian-owned land to its present acreage; the tribe has purchased a total of 4,781 acres that were previously fee simple, or privately owned, land.

PHYSICAL DESCRIPTION

The largest natural body of water in North Dakota, "Minnewaukan," a Sioux word meaning "Spirit Water," is now called Spirit Lake. It forms the reservation's northern boundary, with rolling grass-covered hills beyond thickly forested shorelines. The southern boundary is formed by 50 miles of the Cheyenne River, where the land is generally flat with relatively sparse vegetation. There are numerous small lakes on the reservation, as well as associated wetlands and prairie potholes.

CLIMATE

The elevation at Fort Totten, North Dakota, is 1,462 feet above sea level. It is a cold, continental climate, dominated by the Arctic jet stream, with a year-round average daily high temperature of only 50°F. The year-round average daily low temperature is 28°F. The semiarid area receives approximately 18 inches of precipitation annually, with winter blizzards and periodic summertime thundershowers.

GOVERNMENT

The Spirit Lake Sioux Nation operates under a constitution and bylaws approved on February 14, 1946, revised May 6, 1960, and further amended several times. The tribal council is made up of six members, including a chairman and a secretary, elected at large by the tribal membership, and one representative from each of the reservation's four political districts. The vice-chairman is appointed from within the tribal council. Council members serve four-year terms with elections held annually in May.

The Nation, under PL-638, contracts with the BIA to administer key programs and services. A complete list of operating departments or offices includes: adult learning center, community health representative, Dakota Tribal Industries, diabetes fitness, diabetic clinic, early childhood tracking, education, emergency management, emergency medical services, employee benefits, enrollment, fire protection, fish and wildlife, health careers opportunity, Head Start 0-5, health education, health tracks, indirect cost, low-income energy assistance, motor vehicle, Native American

Maternal Child Health, range and volunteer fire, recreation, senior meals and services, Sioux Utilities Commission, student support services Title III, Tribal Business Information Center, tribal court, tribal land acquisition and realty, tribal roads, tribal planning, tribal social services, tax, USDA Food Distribution Program, USDA Northern Plains RC&D, USDA-Tribal Liaison, water resource, WIC, Wicomico Project, and Youth Healing and Wellness Center. They have their own housing authority, which received a sizeable grant in May 2004 to move 240 abandoned Air Force base housing units onto the reservation. The Spirit Lake Nation Tribal Court consists of a chief judge and a juvenile judge, a prosecutor, three clerks, a juvenile probation officer, and a juvenile intake officer.

BUSINESS CORPORATION

To ensure their economic development the tribe has formed two separate corporations, Spirit Lake Consulting and the Sioux Technology Group, LLC, to focus on this goal.

INFRASTRUCTURE

The reservation is served by North Dakota State Highways 281, 57, 20, and 15. The BIA maintains approximately 75 miles of local, primarily gravel, roads within the reservation. Some new roads have been constructed at the reservation to provide access to homes for members who were relocated after the floods at Spirit Lake. There are also bike paths in each of the four districts, and the Nation has plans to build hiking trails. The Nation provides solid waste collection services with curbside pickup and transport to the tribal landfill located about four miles from Fort Totten.

Electricity – Baker Electric Power Co-op, Cheyenne Valley Co-op, and Otter Tail Power Company provide electric power.

Fuel – Montana Dakota Utilities provides gas.

Water Supply – Spirit Lake Water Resources, via the Bureau of Reclamation, built the existing water system. Sioux Utilities maintains the three-well water system, and most tribal members have access to it. Sioux Utilities also manages the sewage system.

Transportation – Commercial air services are available at Spirit Lake Municipal Airport, 15 miles from Fort Totten. The Triangle Bus Line provides service directly to the town of Spirit Lake, as do UPS and Twin City Freight. Amtrak provides passenger rail service, while Burlington Northern and the Soo Line Railroad Company offer freight service.

Telecommunications – The North Dakota Telephone Company provides Internet access, both dial-up connections and DSL, to all tribal facilities and schools.

COMMUNITY FACILITIES AND SERVICES

Tribal headquarters are located in the village of Fort Totten, housing the offices of various tribal services and BIA offices. An old community center building, first constructed in 1962, is to be renovated. A new clinic building houses the Indian

Health Service Clinic. The Nation has constructed a new library; open to the general public, for housing book collections and the tribal historical and cultural archives. In 2003, the tribe acquired a COPS grant from the Department of Justice to operate crime-prevention and youth development programs. The tribe operates recreation centers in each of the four districts—Fort Totten, St. Michael, Woodlake and Crowhill—each with a gymnasium and other facilities. These recreation centers double as community centers within each district; one has baseball fields, and another has basketball courts and tennis courts.

The tribe built a senior center in Fort Totten, providing elderly nutrition services and other programs for elders. An elderly nutrition program also operates out of the St. Michael Elderly Center. The Spirit Lake Casino sponsors “Elders Day Out,” a monthly meeting with tribal officials, open to any tribal elder. A meal and an activity or program is available at the event.

Education – The nation operates the Four Winds Community School System for reservation schoolchildren. A new middle school building doubles as a center for vocational education. It also operates a Head Start program for infants and toddlers and the Cankdeska-Cikana Community College, formerly the Little Hoop Community College, for those desiring higher education. The college, located in Fort Totten, has developed a culturally relevant nutrition and cooking class, “Dakota Cooking,” which teaches tribal members to make better use of locally grown produce and grains and commodity foodstuffs. Emphasis is placed on the development of nutritionally sound dishes and meal plans.

The Nation supports the United Tribes Technical College, a nonprofit corporation chartered by the State of North Dakota and operated by the Spirit Lake Tribe and the other North Dakota tribes: the Mandans, Hidatsas, Arikaras, Sisseton Wahpeton Sioux, Standing Rock Sioux, and Turtle Mountain Band of Chippewas. The college is governed by a 10-member board of directors comprised of a chairperson and a delegate from each of the tribes.

Health Care – The Spirit Lake Nation is served by an Indian Health Service ambulatory care clinic, which includes dental services and a diabetes program with comprehensive screening, prevention education, and treatment services. The clinic, which opened in a newly constructed building, received a grant to study cardiovascular disease among Indians. There is a community health representative for the reservation, and a substance abuse program provides residential treatment services. The nearest full-service hospital is located in the Town of Devil’s Lake, approximately 13 miles distant.

Section 2
Program Review
May 17, 2006

1. **Funding of Operations**
BIA provides for the operations through the PL 638 program. The tribal funds paid for the juvenile detention which has ceased operation at this facility. Thus the detention program at this facility is operated entirely through the PL 638 funds.
2. **Funding of Repairs and Maintenance of Facility Structure**
The BIA provides common funding for the repairs and maintenance of this facility in addition to 20 other facilities in this area that are supported by the same common pool of \$121,000 for staff salaries, repairs, maintenance and periodic emergencies for all 21 buildings. The cost of utilities for this facility is approximately \$36,000 per year. There are insufficient funds to maintain appropriate staffing throughout the year. Of the four staff members, one to two individuals are laid off eight to nine months into the fiscal year.
3. **Policies and Procedures**
At this time there are no approved or accepted policies and procedures for this facility. The BIA Redbook does not provide sufficient guidance for a small facility such as this. The BIA white binder (1996 – 1999 versions) was used as a guide to develop the local policies and procedures for this facility. A revised version of these Policies and Procedures, specific to this facility were sent to BIA in Albuquerque by Captain Dwight Ballinger but thus far the facility has not received a response with comments or a final acceptance of the policies and procedures.
4. **Staffing**
The facility is understaffed with a total of three certified and two non-certified detention officers. There is insufficient staff to provide for one male and one female officer at all times. Generally only one officer is on duty at all times. This officer provides transportation, escort and meal delivery services from the casino.
5. **Programs**
The facility provides evaluation and counseling for mental and alcohol abuse. The facility also provides classes in 'anger management'.
6. **Staff Training**
No routine training is offered to complete the 40 hours of training requirement per year. The detention officers received 'Policies and

Procedures' training at the Indian Police Academy in Artesia. An 'Intoxilyzer Training' session was conducted and attended by the officers.

7. Space for Inmates On-Site
There is total space of 26 beds at the facility. Of these, 22 beds are allocated for male inmates and 4 beds are allocated for the female inmates. This housing is distributed over six dormitory cells and two detoxification cells. The facility housed a maximum of 32 inmates in August 2005. An average of 26 inmates is the norm. The excess inmates are generally 'negotiated out' through the early release program or are 'bonded out' with minimum bonds. There were 11 male and 3 female inmates on the day of the visit.
8. Space for Inmates Off-Site
Inmates are sent to the Devils Lake County Detention Facility 16 miles away or to the Turtle Mountain Detention Facility 80 miles away. On occasion, however, these facilities are also filled to capacity and send their inmates in reverse - to this facility, if there is an available bed vacancy.
9. Staffing Capacity for the Inmates On-Site
There is insufficient staff for the number of inmates, design of the facility and the duties of the detention officer at the facility.
10. Staffing Capacity for Transportation and Escort for Inmates
The detention officer provides for all of the transportation, escort and delivery of meals for the inmates.
11. Office Supplies for Staff
There are sufficient office supplies for staff.
12. IT Equipment for Office Use
There is insufficient IT equipment for use in the office. There is one computer station that is used for daily logs, cell rosters and memorandums. There is no booking software. All booking is conducted on manual logs. All fingerprinting is conducted manually. The detention officer's office space serves as a booking office but not as a central control station for detention. The dispatch still monitors the cameras for the facility at a separate location.
13. IT Equipment for Communications Use
There is no IT equipment for use by the detention officers to communicate. There are no radios or intercommunication systems between the cells and the detention officers or between the detention officers and law enforcement arresting officers.
There is a need for the detention officers for radios with push-to-talk switches, battery chargers and spare batteries.
14. Personal Supplies for Inmates
There are sufficient personal supplies for inmates.

15. Uniforms for Staff and Inmates
There are sufficient uniforms for the staff and inmates.
16. Linen for Inmates
There are sufficient blankets and mattresses for inmates.
17. Furniture and Fixtures for Staff and Inmates
There are insufficient institutional furniture and fixtures for the inmates who generally use folding tables and lawn chairs as furniture in addition to their steel bunks.
18. Transportation Vehicles
There is no transportation vehicle that may be used for transporting inmates to the court, health care facility or to another detention facility; or for the delivery of meals for the inmates. The detention officers borrow a police vehicle from law enforcement for such use.
19. Fuel for Vehicles
The law enforcement officers provide funding for fueling vehicles.
20. Utilities for Facility
There are sufficient funds to pay for the utilities at the facility. The utilities billing approximates \$36,000 per year.
21. Hot and Cold Water for Kitchen, Laundry and Showers
There is no kitchen at the facility. There is hot and cold water for the laundry, however, there is no hot water at the showers for the inmates.
22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. Lighting in the housing area for the inmates is insufficient. Lighting circuits need to be repaired to provide electrical power for light fixtures in the housing area.
23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at the facility at this time.
24. Deferred Repairs and Maintenance
The facility was built in 1965 and has had no major repairs or maintenance. There have been five cosmetic renovations over the years. The facility requires updating of the deferred repairs and maintenance and replacement of the aging physical equipment. The following are needed:
 - A surveillance camera system with 28 pan-tilt-zoom cameras, four recording cameras, a central console and monitors with high resolution monitors
 - Four shower stalls
 - Six combination sink-lavatory units
 - A standalone heating, ventilation and air-conditioning system including a boiler replacement, all distribution ductwork for

supply and return air, control dampers, supply and return registers and electronic controls

- Hot water tanks sized to meet the capacity for the facility
- Electrical service entrance panelboard, associated distribution panelboards and all internal electrical distribution network including termination devices
- Replacement of all aboveground plumbing system and a cleaning out of the underground sanitary sewer system
- An electronic security system with a manual override for the cell door locks
- A new shingle roof
- Reconfigured central control station separate from the dispatch and a reconfiguration of the booking station with updated booking software

25. Medical Response at the Facility

There is no first-aid kit at the facility. Inmates are not checked in a routine manner for tuberculosis, hepatitis or AIDS. The detention officers call the ambulance service which generally responds in about two minutes. All inmates are treated at the Indian Health Services Clinic at Spirit Lake or are transported to the hospital at Devils Lake about 16 miles away.

26. Booking Process at the Facility

Booking is conducted in the corridor through a countertop window in the detention officer's office. There is insufficient space for booking. There is no booking software. There is no restraining chair and there is no barrier between the detention officer and the inmate. The detention officer is subject to being spit-on by the inmate.

27. Food Service at the Facility

Inmates are provided three meals a day which are prepared by the local casino and are transported by the detention officer to the facility. The detention officer uses between 15 minutes to an hour, three times a day to fetch the prepared meals from the casino. The facility pays \$2.00 per breakfast, \$3.85 per lunch and \$6.85 per dinner for the meals for the inmates.

28. Kitchen and Dining Staff at the Facility

There is no kitchen or dining staff at the facility.

29. Housekeeping Staff at the Facility

The inmate-trustees clean the corridors and the public restrooms while the inmates clean their own cells. The physical spaces are poorly maintained.

30. Repairs and Maintenance Staff at the Facility

The repairs and maintenance staff provided by the BIA is shared with 20 other facilities in the area. A staff of four provides the repairs and maintenance services for 21 buildings in this area.

31. **Inmate Services Provided at the Facility**
The facility provides classes in 'anger management' and general counseling for alcohol and drug abuse. The judge grants work release program for the inmates who may work at Devils Lake but have to provide their own transportation to their workplace. The judge also grants inmates the ability to take college courses or to complete the GED program at the college which is located about five minutes from the facility.
32. **Healthcare Assistance in the Community**
There is a mental health care and alcohol and drug abuse program extended to an aftercare program that is available in the community for use by inmates.
33. **Other Support Agencies in the Community**
The Four Wind School provides family night, cooking and arts-and-crafts classes on a monthly basis. The local college provides the ability to attend classes and to complete a GED program.
34. **General Reasons for Detention**
Most detainees are incarcerated as a result of violent crimes, which have a rate of 1430 per 100,000 inhabitants. The rate for property crime and all other crimes is 1944 and 45,814 per 100,000 inhabitants respectively.
35. **Potentially Harmful Conditions and Behavior of Inmates**
Inmates can hurt themselves by using articles of clothing, plastic garbage sacks used as shower curtains and the bars on the jail cell doors.
36. **Accountability and Reporting of Incidents**
Incidents are reported to Greta Baker at the BIA.

Special Notes

The following were noted as comments resulting from one-on-one conversations with inmates at this facility:

- "The facility does not provide sufficient food. (He) has lost weight from being 158 pounds down to 134 pounds in 75 days. The breakfast generally consists of half a bowl of cereal, half a pint of milk (130 calories) and two slices of bread. The lunch consists of soup, two slices of bread, cheese, meat and a small juice."
- Two other inmates complained of insufficient food.

- Several of the cell doors are solid steel and when closed provide very little air circulation through the very small vents high up on the cell wall. With high humidity, it is extremely stuffy in the cell.
- On average the inmates do not get any outdoor time. Several inmates concurred that they get one hour of outdoor time over a two-week period. The detention officer noted that she does not have sufficient staff to monitor the inmates while they are in the recreation/exercise yard and the chain-link fence has a hole in it that has not been repaired.
- When the inmates ask for outdoor time the detention officer threatens them that he can give them one hour of outdoor time but will then have to keep them locked up in the cell for the remaining 23 hours. The cell is extremely stuffy with the door closed so the inmates are afraid to ask for such outdoor time.
- Clean blankets are provided only once a month.
- One inmate requested to be permitted to hold his 10-month-old baby with appropriate precautions of prior search by authorities, but was denied. He is serving eight months at this facility. His four-year-old has now been moved to foster care and the youngest child is being taken care of by the grandparents. He is not permitted to see his wife for she is also serving time at this facility.
- Several inmates confided that they will now be punished for having talked with an outsider.

Section 3
Facility Review
May 17, 2006

1. **Exterior Site Conditions**
The general exterior site conditions are poor. The general public has access to the recreational areas as well as up to the windows on the exterior wall corridor of the individual cells.
2. **Exterior Exercise/Recreation Area**
The exterior exercise/recreation area consists of an enclosure with a chain-link fence topped with razor wire. The area is not used for a lack of staff to monitor the inmates and since a hole in the fence has not been repaired.
3. **Exterior Perimeter Security**
The exterior security of the perimeter is very poor. There are three cameras that monitor the entire perimeter, leaving several blind spots that are not monitored. The monitors for the cameras are located in the dispatch and not at the central control station for detention. The picture quality of the cameras and the resolution of the monitors are very poor.
4. **Sally Port Security**
There is no specific Sally port at this facility. The two-car garage serves as the drop-off for the inmates. A door from the garage opens into the corridor which leads to the booking window at the detention officer's office.
5. **Building Interior Security**
The interior security of the building is poor. Although there are a number of cameras that have been installed over the years, they are not monitored at the central control station by the detention officer. Rather the low-resolution monitors provide out-of-focus images from the cameras to the dispatcher who is busy with the dispatch functions rather than with the detention and security functions.
The physical building layout for detention facility is very poor. Various functional areas for the male and female inmates are scattered in the facility rather than being consolidated. These functional areas are linear in access and visibility. Thus each function has to be monitored either by a personal walk-through or by an individual camera. Generally there is only one detention officer on duty at any given time. This one individual cannot monitor all inmates in all cells concurrently.

6. Building Structure
The building structure consists of a block-wall foundation and a block-wall structure wrapped in insulation and covered with a steel siding.
7. Building Roof
The building consists of two rectangular single-story structures each covered with a pitched shingle-covered roof. The roof is 12 years old and leaks in several places.
8. Interior Ceilings
The interior ceilings consist of dropped lay-in ceilings in the office areas and hard ceilings in the cell areas.
9. Interior Walls
The interior walls consist of framed walls with a sheetrock covering for the offices and block-wall construction in the cell areas.
10. Interior Flooring
The interior flooring is in disrepair. The interior flooring consists of glued-on vinyl tile on a subfloor base in the office areas and painted concrete in the cell areas.
11. Interior Dormitory Cells
There are six interior dormitory cells for male inmates surrounded by a corridor. The female inmates are housed in a different area of the building. The juvenile dormitory cell is now being used for storage.
12. Interior Isolation Cells
There are no specific isolation cells at the facility.
13. Interior Detoxification Cells
There are two detoxification cells, one each for the male and female inmates.
14. Booking and Intake Area
Inmates are escorted from the garage through a corridor up to the booking window at the detention officer's office. There is insufficient room at the corridor. The booking area is poorly laid out and is detrimental to the security of the officer.
15. Visitation Area
There is a small visitation area that is not monitored by cameras.
16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area.
17. Dining Area
Inmates use their cells or the small day room for dining.

18. Day Room Area
A small day room provides a space to watch television and dine. The day room is equipped with a folding table and plastic lawn chairs.
19. Vocational Training Area
There is no vocational training area at the facility.
20. First Aid and Medical Assistance Area
There is no first aid or medical assistance area at the facility.
21. Toilets and Showers
The toilets and showers are in disrepair. There are no 'rag screens' at the sanitary sewer cleanouts. There is no hot water at the showers.
22. HVAC System
The facility does not have a conventional HVAC system. Rather, heating is implemented using a gas-fired boiler associated with fan coil units through a system of distribution duct work, anchored low in the corridors. There is no dedicated cooling system for the facility. Two individual cooling units are placed on the rooftop to cool the dispatch and communications room. HVAC controls do not operate and there is insufficient air movement through the system to provide sufficient supply and return air in each of the cells. Cells on either end of the building are either too hot or too cold. The cells are very stuffy and odorous. This makeshift system is inadequate and antiquated.
23. Plumbing System
The plumbing system is inadequate. There is no hot water at the showers. Water lines are located in the attic which is subject to extreme low temperatures causing them to freeze and rupture. The sanitary sewer system is operational although it gets plugged up when inmates attempt to flush down articles of clothing through the toilets. There are no 'rag screens' at the sewer cleanouts.
24. Lighting System
The lighting system provides insufficient lighting for staff and inmate areas.
25. Electrical Power System
The electrical service was installed in 1965. Electrical power is served through an overhead 400 amp, 208 Y/120 volts - 3 phase four wire service. This electrical power is backed by a 50 KW backup generator which is protected with a 150 amp circuit breaker. There is a system of battery backed emergency egress lighting in the facility. It could not be determined if the backup generator and the backup emergency lighting are tested on a routine basis.

26. IT System
There is a minimal IT system serving the dispatch at the facility.
27. Security System
The building security system consists of interior and exterior cameras some of which are in the process of being replaced. There is no intercommunications system between the cells and the detention officer's station.
28. Energy Usage and Conservation
The original block-wall structure is wrapped with insulation and finished with exterior steel siding. No additional weatherization has been implemented for the last 41 years. As such the building is subject to cold drafts through the crevices around the doors and floors. This area is subject to the cold Arctic jetstream that blows through the winter months from Canada. The high daytime temperature on a sunny winter day could be -21° Fahrenheit.
29. Fire Egress – Exterior and/or Secured Areas
There is no appropriate secured area to evacuate the inmates during an emergency. Inmates were transported to the Devils Lake County Jail during the last emergency.
30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are smoke detectors, strobe-horn annunciators and a fire alarm system with a fire alarm control panel. There are fire extinguishers located at appropriate locations. However, there is no fire sprinkler system at the facility. The fire alarm system and the fire extinguishers are tested on an annual basis.
31. Building Access for Staff and Inmates
Inmates are escorted through the garage while the staff accesses the building through the front entrance.
32. Hazardous Materials
All hazardous material was abated 10 years ago. There is no hazardous material as reported by the facilities staff.
33. Handicap Access for Staff and Inmates
The facility was not designed for access by disabled individuals. Over time a ramp was added without side rails and a restroom was modified to meet ADA standards. However, there are no other provisions for disabled inmates or staff at the facility.
34. Potentially Hazardous Elements
Inmates can hurt themselves by using articles of clothing; plastic garbage sacks used as shower curtains and the bars on the jail cell doors.

Section 1

**Background Information
of the
Pine Ridge Reservation
Served by the Kyle Law Enforcement Center**

Pine Ridge Reservation¹

Federal reservation

Oglala Sioux

Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation

P.O. Box 2070

Pine Ridge, SD 57770

605-867-5821

605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres

Total area (Tribal source, 2004) 2,800,000 acres

Tribally owned (BIA realty, 2003) 705,839.58 acres

Tribally owned (Tribal source, 2004) 706,340 acres

Federal trust (BIA realty, 2003) 1,067,877.15 acres

Individually owned (BIA realty, 2003) 1,695.99 acres

Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068

Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741

High school graduate or higher (2000 census) 68.8%

Bachelor's degree or higher (2000 census) 11.1%

Unemployment rate (2000 census) 33%

Per capita income (2000 census) \$6,298

LOCATION AND LAND STATUS

The Pine Ridge Reservation, second only in size of landmass to the Navajo Reservation, is located in southwestern South Dakota. The reservation borders Nebraska on the south, and it is approximately 50 miles east of the Wyoming border

¹ Excerpts provided under license and permission to Shubnum, from Tiller Research, Inc. Tiller's Guide to Indian Country: Economic Profiles of the American Indian Reservations, 2005 Ed.

on the west. Pine Ridge Reservation abuts the Rosebud Reservation on the northeast corner. Some tribal trust lands are located in northwestern Nebraska.

Interstate 90 runs east-west just north of the reservation. The community of Pine Ridge, which serves as tribal headquarters, lies approximately 97 miles south and slightly west of Rapid City. The nearest city of 250,000 or more is Denver, Colorado, 420 miles away.

PHYSICAL DESCRIPTION

The topography of the 11,000-square-mile reservation and trust lands is a diverse mixture of badlands and acres of rolling grassland hills, transected with river valleys and creeks and ridges dotted with spotted pine; hence the name Pine Ridge. The well-known Badlands National Park extends into the reservation, featuring a unique landscape of eroded ridges, peaks, multicolored columns, and abrupt mesas. The Buffalo National Grassland lies along the reservation's western border.

CLIMATE

Typical for the Great Plains, reservation temperatures fluctuate between seasonal extremes of 105° F and -30° F. The average temperature in July is 74° F; in January the average temperature is 21° F. The area normally receives 19 inches of precipitation annually.

GOVERNMENT

The Pine Ridge Reservation was established by an Act of Congress in 1889 as a home for the Oglala Lakota Sioux. Under an IRA constitution approved in 1936, the tribe is governed by a 16-member tribal council, presided over by the tribal council chairman, who acts as the administrative head of the tribe. The council is guided by a five-member executive committee, with elections held every two years to elect an at-large president and vice-president and representatives from nine districts: Eagle Nest, Pass Creek, Wakpamni, Lacreek, Pine Ridge, White Clay, Medicine Root, Porcupine, and Wounded Knee. A sergeant-at-arms and critic also serve with the council. All members serve four-year terms. Under PL-638, the tribe contracts with the BIA to administer key programs and services.

A tribal court system, established under the constitution, consists of one chief and three associate judges who are chosen by the tribal council. They also serve four-year terms.

INFRASTRUCTURE

State Highway 73, a north-south route, and U.S. Highway 18, an east-west route, are the major traffic arteries. Gordon, Nebraska, 45 miles away, is the nearest railroad shipping center, while the nearest international airport is at Rapid City, South Dakota, 130 miles from the reservation.

Electricity - The Consumers Power Company and the LaCreek Power Cooperative provide electricity.

Water Supply - The Oglala Sioux Rural Water Supply System supplies water on the reservation. The Mni Wiconi Project is under construction to supply clean water from the Missouri River to the communities that do not have potable water or have wells with poor water quality. The tribe provides solid waste collection.

Telecommunications - Golden West Telecommunications Company provides telephone service, and a tribal member provides cable TV service in the community of Pine Ridge.

COMMUNITY FACILITIES AND SERVICES

The tribe provides an elderly nutrition program, and it sponsors many community activities. Youth recreational services are provided through local nonprofit organizations including a rodeo club.

Education - Four high schools and 12 elementary schools serve approximately 5,577 private or public school children on the reservation aged 5–18. Healthy Start and Head Start programs work with preschool children. On March 4, 1971, the Oglala Sioux Tribal Council chartered the Lakota Higher Education Center. Pine Ridge High School was completed in 1994. Red Cloud Indian School, which operates elementary, middle, and high school campuses on the reservation, is a nonprofit corporation that operates as an accredited private school. The school emphasizes retaining traditional Lakota values, linguistic skills, and cultural heritage, while striving toward academic excellence. It had an enrollment in excess of 600 students in 2002.

Oglala Lakota College, founded in 1971, is a tribally chartered and operated university offering GED, associate and bachelor's degrees, and, more recently, master's study programs. In keeping with the college's mission—"Piya Wiconi," a Lakota expression meaning a new beginning for harmony in fulfillment of aspirations and dreams—the college is committed to continuous quality improvement in providing outstanding teaching, research, community services, and assessment. Accreditation by the Commission on Institutions of Higher Education, North Central Association of Colleges and Schools was first granted in 1983. Nursing graduates are certified by the South Dakota State Board of Nursing and are permitted to sit for the registered nurse examination. The college was responsible for beginning the first child and spouse abuse prevention programs on the reservation, for developing alcohol and drug abuse intervention programs, and for conducting economic development conferences leading to the formation of The Lakota Fund.

Health Care - In 1994, the Pine Ridge Reservation Comprehensive Health Care Facility, an Indian Health Service hospital, was dedicated and opened for patient care. An intensive care unit, modern monitoring equipment, a respiratory therapy program, and new pediatric care facilities have all been added since 1997. Decorated with tribal themes, the hospital welcomes traditional healers and medicine men along with Christian or other spiritual workers. A community health representative and an ambulance service serve for the reservation. The health department provides eye exams and eyeglasses to all residents at reduced rates. There is a dialysis center on the reservation.

Section 2**Program Review
May 12, 2006**

1. **Funding of Operations**
The facility is operated under the PL 638 program. Additional details for the funding of operations could not be determined.
2. **Funding of Repairs and Maintenance of Facility Structure**
Details for the funding of repairs and maintenance for the facility could not be determined. The facility is owned by the BIA.
3. **Policies and Procedures**
The facility reported that they have updated manuals for their policies and procedures. However, they are unable to comply for a lack of staff and because of deficiencies in the facility. Policies and procedures were not offered for a review during the site visit.
4. **Staffing**
There are two certified corrections officers and four uncertified corrections officers dedicated to this facility. In addition, there are two certified corrections officers that are serving as temporary staff at this facility while they await the opening of the new Pine Ridge Facility at which time they will be transferred to the new facility.
5. **Programs**
There are no specific programs for the benefit of the inmates at this facility.
6. **Staff Training**
There is no additional training offered to the staff beyond the initial training at the Academy.
7. **Space for Inmates On-Site**
This is a 24-bed facility including occupancy for four individuals in the detoxification cells. At the time of the visit there were 11 males and 6 females for a total of 17 inmates at the facility. Two weeks prior, on May 1, 2006 there were 31 inmates at the facility. The facility averages 26 to 28 inmates not including those who are released through 'negotiations' for lack of space at the facility. There were 72 inmates housed at this facility in August 2005 and the facility would house a peak of 200 inmates if the inmates are not released through negotiations with the court system.

8. Space for Inmates Off-Site
No inmates are housed off-site.
9. Staffing Capacity for the Inmates On-Site
The facility has a shortage of staff at all times. Only one detention officer was on duty on the day of the visit.
10. Staffing Capacity for Transportation and Escort of Inmates
The detention officers also provide transportation and escort of inmates.
11. Office Supplies for Staff
The office supplies for the use by the staff are adequate up until September 30, 2006.
12. IT Equipment for Office Use
There is sufficient IT equipment for officers.
13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.
14. Personal Supplies for Inmates
There are sufficient personal supplies for inmates.
15. Uniforms for Staff and Inmates
There are sufficient uniforms for the staff and inmates.
16. Linen for Inmates
There are sufficient blankets and mattresses for inmates. One inmate reported that she was provided previously used and uncleaned blankets.
17. Furniture and Fixtures for Staff and Inmates
There are sufficient furniture and fixtures for the staff and inmates. Inmates use a combination of the newer molded plastic institutional furniture and the older steel benches.
18. Transportation Vehicles
There is one van that was procured through the surplus system. The vehicle is unreliable and does not have an appropriate secured cage for the transportation of inmates.
19. Fuel for Vehicles
There is sufficient funding for vehicles.
20. Utilities for Facility
There is sufficient funding for the utilities at the facility.

21. **Hot and Cold Water for Kitchen, Laundry and Showers**
There is no kitchen at the facility. There is no hot water at the showers and several combination sink/lavatory units in the cells do not have any water at all. The laundry has hot water.
22. **Adequate Lighting for Inmate and Staff Areas**
There is adequate lighting for the inmate and staff areas.
23. **Ongoing Repairs and Maintenance**
There is a continuous request for repairs of the roof which leaks often. A recent repair project was completed for the leaking ceiling at the entrance.
24. **Deferred Repairs and Maintenance**
The facility needs the following deferred repairs and maintenance:
 - Provide new roofing for the facility
 - Provide new floor tiles for the offices and corridors
 - Provide new HVAC controls and a rebalance of their distribution
 - Provide a new fire alarm control panel and a system of new detectors and strobe-horn units
 - Provide replacement of all underground sanitary sewer lines and above ground plumbing for hot and cold water
 - Replace the door operator and electrical system for the roll-up door at the Sally port
 - Provide new exterior light fixtures around the perimeter of the building
 - Provide new sufficiently sized hot water tank
 - Provide appropriate exhaust vents for the lint from the dryers
 - Provide new combination sink-lavatory units
 - Provide new fire-sprinkler system
 - Provide handicapped-accessible toilets for the visitors, handicapped-accessible showers and space for housing disabled inmates
25. **Medical Response at the Facility**
There is a first-aid kit provided at the facility. An ambulance is generally called which responds within two minutes. Inmates are transported to the IHS facility.
26. **Booking Process at the Facility**
The booking process at the facility is fairly poor. There are no cameras outside the Sally port. Booking is conducted in the corridor at the countertop window at the central control station. The booking officers are at risk for lack of space, recording cameras and the unavailability of a restraining chair nearby. The facility uses the Aegis corrections software which is slow and takes an excessive amount of time to book an inmate.

27. Food Service at the Facility
There is no kitchen at the facility. Meals are supplied from the adjacent facility for the juveniles.
28. Kitchen and Dining Staff at the Facility
There is no staff for the kitchen or dining needs at this facility.
29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. Inmates clean their own areas and the detention staff cleans their own areas as well. The inmate areas were found to be very dirty. The drains at the detoxification cells cannot be flushed and are full of putrid excrement matter.
30. Repairs and Maintenance Staff at the Facility
Repairs and maintenance are provided by the BIA, however, the repair and maintenance staff is slow to respond. The detention staff purchases cleaning supplies using their own personal funds for general housekeeping and repairs, which are needed for cleaning graffiti and upkeep of the lawnmowers.
31. Inmate Services Provided at the Facility
A health care nurse visits the facility on a periodic basis. It could not be determined if the inmates are screened for tuberculosis, hepatitis or HIV/AIDS.
32. Healthcare Assistance in the Community
Healthcare assistance is provided in the community by the IHS clinic.
33. Other Support Agencies in the Community
There is a local college in the community that provides support to the facility.
34. General Reasons for Detention
Most detainees are incarcerated as a result of violent crimes, which have increased in the past few years.
35. Potentially Harmful Conditions and Behavior of Inmates
Inmates may harm themselves by using articles of clothing and the drain-holes provided on the pans of their steel bunks. Inmates may also use the clothes-drying lines used in the recreation/exercise area to commit suicide. Inmates are placed on a suicide watch if a tendency to commit suicide is observed by the detention officers.
36. Accountability and Reporting of Incidents
Incidents are reported to the superior law enforcement officers in Aberdeen.

Section 3**Facility Review****May 12, 2006**

1. **Exterior Site Conditions**
The exterior site conditions of the facility are very poor. The site is located in a busy residential area with a preschool about 100 yards from the detention facility. The general public has access to the recreation yard which may be used to transfer drugs.
2. **Exterior Exercise/Recreation Area**
The exercise/recreation area is used for drying clothes and large articles of linen and blankets that cannot be accommodated in the dryer. The drying lines are accessible to the inmates and these could become an element that inmates may use to commit suicide.
3. **Exterior Perimeter Security**
There is only one exterior camera located at the exercise/recreation area, for the entire perimeter of the facility.
4. **Sally Port Security**
The Sally port consists of an attachment to the building with a three-walled enclosure consisting of two rollup doors that may be used for the ingress and egress of a vehicle. Presently only one rollup door can be operated. Both rollup doors as well as the door between the Sally port and the facility are generally left open for ventilation.
5. **Building Interior Security**
The interior security of the building is fairly poor. There are very few cameras that monitor the entire facility, which has a linear design and is difficult to monitor with few cameras. The one monitor at the central control station provides a very poor quality of image resolution from the cameras. There are no recording cameras at the booking area. Each of the cells is manually locked with a key. There are three electronically operated doors, one of which leads to the Sally port exterior of the facility and the other to the exercise/recreation area.
6. **Building Structure**
The building is a block-wall structure with a brick veneer and a slab-on-grade foundation.
7. **Building Roof**
The building has a flat tar and gravel roof that leaks often.

8. Interior Ceilings
The facility has sheetrock ceilings in the office areas and hard ceilings in the housing areas.
9. Interior Walls
All interior walls are of block-wall construction.
10. Interior Flooring
Glued-on vinyl tile is used for flooring in the corridors and offices. Painted concrete is used in the housing area. The vinyl tile has worn down to the bare concrete in high-traffic areas.
11. Interior Dormitory Cells
The interior dormitory cells are in poor condition. One section of the cells has been closed out where the toilets leak effluent into the cell area. The remaining cells have sink-lavatory combination units that do not provide sufficient hot or cold water under pressure for drinking and/or do not flush. In other areas toilets have been covered up and removed from service for lack of repair.
12. Interior Isolation Cells
There are no specific isolation cells at the facility.
13. Interior Detoxification Cells
All detoxification cells have a foul odor. Sewer floor drains in each of the three detoxification cells do not flush and excrement is backed up in the cells.
14. Booking and Intake Area
The booking and intake area is inappropriate. Booking is conducted in the corridor through a countertop in a window, which opens into the central control station. There is insufficient space for booking or an appropriate transition of the inmate to the cell.
15. Visitation Area
Contact visitation is used at the facility. There is no barrier or separation between the visitor and the inmate who sit across from each other. The detention officer cannot view the visitation area directly or through a camera. The detention officer is unable to determine if contraband is passed between the visitor and the inmate.
16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation area or pantry area at the facility.
17. Dining Area
There is no specific dining area at the facility. Every two cells have a common space in front of the cells, which is used as a day room for the two cells. Inmates use this space as a day room and as a dining facility.

18. Day Room Area
There is no specific day room for the facility; however, inmates use the common space in front of their cells as a day room. Drinking water is provided in plastic containers for the inmates in these day rooms. A small common space with low partitions and a television set are provided across the central control station, which serves as a television viewing and reading area for the inmates.
19. Vocational Training Area
There is no vocational training area at this facility.
20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility. A first-aid kit is mounted in the corridor.
21. Toilets and Showers
The toilets and showers are in very poor condition. There is no hot water at the showers. There is either no water or water with insufficient pressure at the sink-lavatory combination units so that the inmates cannot use the water from the faucets for drinking. Several of the toilets as well as the sink-lavatory combination units have plugged up supply and drain lines and several toilets do not flush. Toilets have been removed from service for lack of repairs. One toilet is leaking effluent into the cell which has caused the cell cluster to be taken out of service.
22. HVAC System
The controls for the HVAC system are not functional. The HVAC units respond to the temperature demands in an opposite manner. It is either too hot or too cold.
23. Plumbing System
The plumbing system is in very poor condition. Most of the plumbing lines above ground and the sanitation sewer lines below ground do not operate well. There are no 'rag screens' at the cleanouts of the sanitation sewer lines.
24. Lighting System
The lighting system is adequate. All light fixtures are the original energy-inefficient fixtures from the 1970s. Light fixtures do not have the light bulbs and the exterior light fixture at the Sally port is broken and without a light bulb.
25. Electrical Power System
The electrical power system consists of a 1200 amp, 208 Y/120 volts, 3-phase four wire system served from a pad-mounted transformer. The system provides sufficient capacity for the facility. A 15 KW backup

generator provides a backup source of power, should the main power fail. Battery backed emergency egress lighting units are provided at the facility. It could not be determined if either the egress lighting or the backup generator is tested on a regular basis.

26. IT System
The IT system used by the facility is adequate.
27. Security System
The security system for the facility is inadequate. There are insufficient cameras and inappropriate monitors for the cameras.
28. Energy Usage and Conservation
The doors are generally kept open to the exterior as a result of inadequate ventilation. There is little consideration for energy usage or conservation at the facility.
29. Fire Egress – Exterior and/or Secured Areas
Fire egress is poor at the facility. There are three electronically operated doors, one of which leads to the Sally port and the other to the recreational/exercise yard to the exterior of the facility. The building cannot be evacuated in three minutes. There is no secured staging area for the evacuated inmates that are at a sufficient safe distance from the facility.
30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system with a malfunctioning fire alarm control panel. There are a few fire extinguishers and there is no fire sprinkler system at the facility.
31. Building Access for Staff and Inmates
The staff uses the front entrance and inmates are escorted through the Sally port.
32. Hazardous Materials
The facility was built in 1979 and there are no reported hazardous materials such as asbestos lead paint or mold at the facility.
33. Handicap Access for Staff and Inmates
There are no provisions for disabled inmates, visitors or staff at the facility.
34. Potentially Hazardous Elements
Inmates may harm themselves by using articles of clothing and the drain-holes provided on the pans of their steel bunks. Inmates may also use the clothes-drying lines used in the recreation/exercise area to commit suicide. Inmates are placed on a suicide watch if a tendency to commit suicide is observed by the detention officers.

Section I

Background Information
of the

Pine Ridge Reservation

Served by the Loneman (Oglala) Law Enforcement Center

Pine Ridge Reservation¹

Federal reservation

Oglala Sioux

Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation

P.O. Box 2070

Pine Ridge, SD 57770

605-867-5821

605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres

Total area (Tribal source, 2004) 2,800,000 acres

Tribally owned (BIA realty, 2003) 705,839.58 acres

Tribally owned (Tribal source, 2004) 706,340 acres

Federal trust (BIA realty, 2003) 1,067,877.15 acres

Individually owned (BIA realty, 2003) 1,695.99 acres

Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068

Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741

High school graduate or higher (2000 census) 68.8%

Bachelor's degree or higher (2000 census) 11.1%

Unemployment rate (2000 census) 33%

Per capita income (2000 census) \$6,298

LOCATION AND LAND STATUS

The Pine Ridge Reservation, second only in size of landmass to the Navajo Reservation, is located in southwestern South Dakota. The reservation borders Nebraska on the south, and it is approximately 50 miles east of the Wyoming border on the west. Pine Ridge Reservation abuts the Rosebud Reservation on the northeast corner. Some tribal trust lands are located in northwestern Nebraska.

¹ Excerpts provided under license and permission to Shubnum, from Tiller Research, Inc. Tiller's Guide to Indian Country: Economic Profiles of the American Indian Reservations, 2005 Ed.

Interstate 90 runs east-west just north of the reservation. The community of Pine Ridge, which serves as tribal headquarters, lies approximately 97 miles south and slightly west of Rapid City. The nearest city of 250,000 or more is Denver, Colorado, 420 miles away.

PHYSICAL DESCRIPTION

The topography of the 11,000-square-mile reservation and trust lands is a diverse mixture of badlands and acres of rolling grassland hills, transected with river valleys and creeks and ridges dotted with spotted pine; hence the name Pine Ridge. The well-known Badlands National Park extends into the reservation, featuring a unique landscape of eroded ridges, peaks, multicolored columns, and abrupt mesas. The Buffalo National Grassland lies along the reservation's western border.

CLIMATE

Typical for the Great Plains, reservation temperatures fluctuate between seasonal extremes of 105° F and -30° F. The average temperature in July is 74° F; in January the average temperature is 21° F. The area normally receives 19 inches of precipitation annually.

GOVERNMENT

The Pine Ridge Reservation was established by an Act of Congress in 1889 as a home for the Oglala Lakota Sioux. Under an IRA constitution approved in 1936, the tribe is governed by a 16-member tribal council, presided over by the tribal council chairman, who acts as the administrative head of the tribe. The council is guided by a five-member executive committee, with elections held every two years to elect an at-large president and vice-president and representatives from nine districts: Eagle Nest, Pass Creek, Wakpamni, Lacreek, Pine Ridge, White Clay, Medicine Root, Porcupine, and Wounded Knee. A sergeant-at-arms and critic also serve with the council. All members serve four-year terms. Under PL-638, the tribe contracts with the BIA to administer key programs and services.

A tribal court system, established under the constitution, consists of one chief and three associate judges who are chosen by the tribal council. They also serve four-year terms.

INFRASTRUCTURE

State Highway 73, a north-south route, and U.S. Highway 18, an east-west route, are the major traffic arteries. Gordon, Nebraska, 45 miles away, is the nearest railroad shipping center, while the nearest international airport is at Rapid City, South Dakota, 130 miles from the reservation.

Electricity - The Consumers Power Company and the LaCreek Power Cooperative provide electricity.

Water Supply - The Oglala Sioux Rural Water Supply System supplies water on the reservation. The Mni Wiconi Project is under construction to supply clean water

from the Missouri River to the communities that do not have potable water or have wells with poor water quality. The tribe provides solid waste collection.

Telecommunications - Golden West Telecommunications Company provides telephone service, and a tribal member provides cable TV service in the community of Pine Ridge.

COMMUNITY FACILITIES AND SERVICES

The tribe provides an elderly nutrition program, and it sponsors many community activities. Youth recreational services are provided through local nonprofit organizations including a rodeo club.

Education - Four high schools and 12 elementary schools serve approximately 5,577 private or public school children on the reservation aged 5–18. Healthy Start and Head Start programs work with preschool children. On March 4, 1971, the Oglala Sioux Tribal Council chartered the Lakota Higher Education Center. Pine Ridge High School was completed in 1994. Red Cloud Indian School, which operates elementary, middle, and high school campuses on the reservation, is a nonprofit corporation that operates as an accredited private school. The school emphasizes retaining traditional Lakota values, linguistic skills, and cultural heritage, while striving toward academic excellence. It had an enrollment in excess of 600 students in 2002.

Oglala Lakota College, founded in 1971, is a tribally chartered and operated university offering GED, associate and bachelor's degrees, and, more recently, master's study programs. In keeping with the college's mission—"Piya Wiconi," a Lakota expression meaning a new beginning for harmony in fulfillment of aspirations and dreams—the college is committed to continuous quality improvement in providing outstanding teaching, research, community services, and assessment. Accreditation by the Commission on Institutions of Higher Education, North Central Association of Colleges and Schools was first granted in 1983. Nursing graduates are certified by the South Dakota State Board of Nursing and are permitted to sit for the registered nurse examination. The college was responsible for beginning the first child and spouse abuse prevention programs on the reservation, for developing alcohol and drug abuse intervention programs, and for conducting economic development conferences leading to the formation of The Lakota Fund.

Health Care - In 1994, the Pine Ridge Reservation Comprehensive Health Care Facility, an Indian Health Service hospital, was dedicated and opened for patient care. An intensive care unit, modern monitoring equipment, a respiratory therapy program, and new pediatric care facilities have all been added since 1997. Decorated with tribal themes, the hospital welcomes traditional healers and medicine men along with Christian or other spiritual workers. A community health representative and an ambulance service serve for the reservation. The health department provides eye exams and eyeglasses to all residents at reduced rates. There is a dialysis center on the reservation.

Section 2**Program Review
May 11, 2006**

This facility was built in 1981 with the intent of use as a holding facility and a substation for the use by law enforcement, housing the police, fire and emergency services for the community. There are two cells that have fallen into disrepair since the facility is no longer used for incarceration. The facility is still in use as a law enforcement substation that provides services to the local community.

1. **Funding of Operations**
The facility is owned by the BIA. The tribe provides for the operations of the building. Other details are not known.
2. **Funding of Repairs and Maintenance of Facility Structure**
The BIA provides for the repair and maintenance of the facility.
3. **Policies and Procedures**
There are no policies or procedures for the operations at the facility. The tribal buildings policy OST - DPS from the Oglalas Sioux tribe Department of Public Safety provides guidance for policies and programs at the facilities. The public safety officer reported that there is no need for the BIA policies and procedures at the facility.
4. **Staffing**
There are five police officers who use the facility. There are no detention officers.
5. **Programs**
There are no programs for the benefit of inmates at this facility.
6. **Staff Training**
The staff of five police officers who use the facility are certified from the Indian Police Academy in Artesia. Officers are unable to meet additional training of 40 hours every year. There is a very high turnover rate for the officers.
7. **Space for Inmates On-Site**
There are two cells that lack any beds. The cells have fallen into disrepair.
8. **Space for Inmates Off-Site**
All inmates are expected to be sent off-site to the Pine Ridge Corrections facility when it opens.

9. Staffing Capacity for the Inmates On-Site
There are no detention officers. The facility will not be used for extended incarceration.
10. Staffing Capacity for Transportation and Escort for Inmates
The police officers provide for the transportation and escort for the inmates to off-site locations.
11. Office Supplies for Staff
There are sufficient office supplies for staff.
12. IT Equipment for Office Use
There is sufficient IT equipment for office use.
13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.
14. Personal Supplies for Inmates
Personal supplies for inmates are not needed at the facility.
15. Uniforms for Staff and Inmates
There are adequate uniforms for the staff. Uniforms are not needed for the inmates.
16. Linen for Inmates
Blankets and mattresses are not needed for the inmates.
17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are adequate. There is no furniture needed for the inmates.
18. Transportation Vehicles
The law enforcement officers use their vehicles for transportation of inmates.
19. Fuel for Vehicles
There is sufficient fuel for vehicles.
20. Utilities for Facility
There is sufficient funding for utilities for the facility.
21. Hot and Cold Water for Kitchen, Laundry and showers
There is no kitchen, laundry or showers at the facility.
22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. Lighting in the cells is insufficient.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs or maintenance at this facility.
24. Deferred Repairs and Maintenance
The facility is in a state of disrepair. The facility is not used in an appropriate manner. What was meant to be a clear space for the storage and parking of fire trucks and other emergency vehicles is being used as a storage and repair garage for miscellaneous personal vehicles, official vehicles, carwash and an oil changing station for the law enforcement vehicles. The facility needs light fixtures, an emergency backup power system, a fire alarm/sprinkler system, sanitation sewer lines replacement, replacement of the hot water tank and associated plumbing repairs, concrete repairs of the block-wall and areas that were damaged during past escape by inmates, replacement of all existing doors, repairs of the rollup door and repairs of all of the tile flooring in hallways and offices.
25. Medical Response at the Facility
There is no provision for medical response at the facility. However, there is an ambulance service that is provided for the community that is available within about a two-minute drive from the facility.
26. Booking Process at the Facility
There is no formal booking area at the facility. Booking is generally conducted in the vehicle and the inmate is generally driven to the Pine Ridge facility.
27. Food Service at the Facility
There is no food service at the facility.
28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.
29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. The facility is fairly dirty and unkempt. At periodic intervals, the public safety officer gathers and hauls all of the trash at the facility.
30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Repairs and maintenance are fairly poor. The facility requires repairs and maintenance but it appears as if the repairs and maintenance staff has not visited the site for several years.
31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. **Healthcare Assistance in the Community**
There is no healthcare assistance in the community. An ambulance service is provided that can transport the inmates to the Pine Ridge Indian Health Services Clinic 16 miles away.
33. **Other Support Agencies in the Community**
There are no specific support agencies in the community. All support agencies are located in Pine Ridge.
34. **General Reasons for Detention**
The general reasons for apprehension and detention are the onset of drugs- related violent crime.
35. **Potentially Harmful Conditions and behavior of Inmates**
Inmates are generally not held at the facility even though cells are provided. However, the cells are in disrepair and it is not expected to have inmates located at the facility for any extended period.
36. **Accountability and Reporting of Incidents**
Incidents are reported to the Oglala Sioux Tribal Administration at Pine Ridge and subsequently to the BIA offices in Albuquerque, New Mexico.

Section 3**Facility Review
March 11, 2006**

1. Exterior Site Conditions
The exterior site conditions are fairly poor. The facility is located near the local school and serves primarily as a substation for the local police officers who patrol this area. The local site is neither paved nor graveled and as such is fairly dusty during the summers and fairly muddy during winters.
2. Exterior Exercise/Recreation Area
Even though the facility has a provision of two cells for inmates and was meant to be used as a holding facility it is no longer used as such. The facility is used only as a local substation for the police officers serving the local community.
3. Exterior Perimeter Security
The exterior perimeter security is fairly poor. There is no fencing or any cameras that monitor the perimeter of the facility. The front door does have a lock that is capable of locking; however, the side door at the garage entrance cannot be locked and is held in place with a broomstick tied to the doorknob from inside the building, held tight across the door jamb. The facility could be penetrated by lifting up the rollup doors.
4. Sally Port Security
There is no Sally port at the facility.
5. Building Interior Security
There is no interior security at the facility.
6. Building Structure
The building is slab-on-grade block-wall structure.
7. Building Roof
The building has a flat metal deck roof with a cover of tar, rock and gravel. There have been no reported incidents or signs of leakage at the roof.
8. Interior Ceilings
Interior ceilings are in disrepair. These consist of dropped lay-in ceilings in the office areas and hard ceilings in the cell area.

9. Interior Walls
Interior walls are of block-wall construction.
10. Interior Flooring
Interior flooring in the offices and corridors is glued-on tile over concrete and painted concrete in the cell area. The garage area flooring consists of unsealed and unpainted concrete. All of the flooring is in disrepair.
11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.
12. Interior Isolation Cells
There are no interior isolation cells at the facility. However, once the cells are repaired they may be used as an isolation cell. There is no water at the cell locations at this time.
13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.
14. Booking and Intake Area
There is no specific area designated as booking and intake area at the facility.
15. Visitation Area
There is no area designated as the visitation area for the visitors at the facility.
16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.
17. Dining Area
There is no dining area at the facility.
18. Day Room Area
There is no day room area at the facility.
19. Vocational Training Area
There is no vocational training area at the facility.
20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility.
There is no first-aid kit at the facility.
21. Toilets and Showers
There are no showers at the facility. There are two toilets, one of which appears to have been plugged up for a very long time. Both toilets are in a state of disrepair.

22. HVAC System
The HVAC system is located on the roof. The HVAC unit on the roof is two years old. The electrical heaters that provide heating to the facility are in disrepair and often break down. These need to be replaced.
23. Plumbing System
The plumbing system is in disrepair and the sanitation sewer drains are plugged up and need to be replaced.
24. Lighting System
The light fixtures are in a state of disrepair. The surface mounted light fixture in the office was accidentally shot-at by one of the officers many years ago. The light fixture has not been replaced at this time.
25. Electrical Power System
The electrical power system appears to be adequate for the size of this facility. A pad mounted transformer serves as the power source. The service entrance panelboard consists of two disconnect switches, a central gutter serving 2-225 amp, 208 Y/120.V, and three-phase four-wire panels which serve the facility through independent circuit breakers. There is no backup generator or battery backed emergency egress lighting.
26. IT System
The existing IT system appears to be adequate for the use of the police officers at this facility. The system consists of two computer stations, two printers and one fax machine that are connected to a communications modem.
27. Security System
There is no security system at the facility. The side door is held shut with a broomstick handle tied of the doorknob.
28. Energy Usage and Conservation
There is no awareness of energy conservation at the facility. The facility needs weatherization to prevent cold drafts through all exterior doors and the window.
29. Fire Egress -- Exterior and/or Secured Areas
The facility is fairly small and the path of egress is within a reasonable distance to the exit from the facility.
30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are no fire alarm, fire sprinkler or fire extinguishers at the facility.
31. Building Access for Staff and Inmates
The staff uses the front entrance and the rollup doors to enter the facility.

32. **Hazardous Materials**
The facility does not have asbestos or lead paint. However, the facility needs to be environmentally abated for all the spilled fuel oil that has accumulated over the years as the officers have used the site for oil-changes and repairs of automobiles.
33. **Handicap Access for Staff and Inmates**
There are no handicap access provisions for the use of disabled staff, visitors or inmates at the facility.
34. **Potentially Hazardous Elements**
Inmates are not held at the facility even though cells are provided. However, the cells are in disrepair and it is not expected to have inmates located at the facility in the future.

DRAFT

Section 1

**Background Information
of the
Pine Ridge Reservation
Served by the Porcupine Law Enforcement Center**

Pine Ridge Reservation¹

Federal reservation

Oglala Sioux

Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation

P.O. Box 2070

Pine Ridge, SD 57770

605-867-5821

605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres

Total area (Tribal source, 2004) 2,800,000 acres

Tribally owned (BIA realty, 2003) 705,839.58 acres

Tribally owned (Tribal source, 2004) 706,340 acres

Federal trust (BIA realty, 2003) 1,067,877.15 acres

Individually owned (BIA realty, 2003) 1,695.99 acres

Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068

Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741

High school graduate or higher (2000 census) 68.8%

Bachelor's degree or higher (2000 census) 11.1%

Unemployment rate (2000 census) 33%

Per capita income (2000 census) \$6,298

LOCATION AND LAND STATUS

The Pine Ridge Reservation, second only in size of landmass to the Navajo Reservation, is located in southwestern South Dakota. The reservation borders Nebraska on the south, and it is approximately 50 miles east of the Wyoming border on the west. Pine Ridge Reservation abuts the Rosebud Reservation on the northeast corner. Some tribal trust lands are located in northwestern Nebraska.

¹ Excerpts provided under license and permission to Shubnum, from Tiller Research, Inc. Tiller's Guide to Indian Country: Economic Profiles of the American Indian Reservations, 2005 Ed.

Interstate 90 runs east-west just north of the reservation. The community of Pine Ridge, which serves as tribal headquarters, lies approximately 97 miles south and slightly west of Rapid City. The nearest city of 250,000 or more is Denver, Colorado, 420 miles away.

PHYSICAL DESCRIPTION

The topography of the 11,000-square-mile reservation and trust lands is a diverse mixture of badlands and acres of rolling grassland hills, transected with river valleys and creeks and ridges dotted with spotted pine; hence the name Pine Ridge. The well-known Badlands National Park extends into the reservation, featuring a unique landscape of eroded ridges, peaks, multicolored columns, and abrupt mesas. The Buffalo National Grassland lies along the reservation's western border.

CLIMATE

Typical for the Great Plains, reservation temperatures fluctuate between seasonal extremes of 105° F and -30° F. The average temperature in July is 74° F; in January the average temperature is 21° F. The area normally receives 19 inches of precipitation annually.

GOVERNMENT

The Pine Ridge Reservation was established by an Act of Congress in 1889 as a home for the Oglala Lakota Sioux. Under an IRA constitution approved in 1936, the tribe is governed by a 16-member tribal council, presided over by the tribal council chairman, who acts as the administrative head of the tribe. The council is guided by a five-member executive committee, with elections held every two years to elect an at-large president and vice-president and representatives from nine districts: Eagle Nest, Pass Creek, Wakpamni, Lacreek, Pine Ridge, White Clay, Medicine Root, Porcupine, and Wounded Knee. A sergeant-at-arms and critic also serve with the council. All members serve four-year terms. Under PL-638, the tribe contracts with the BIA to administer key programs and services.

A tribal court system, established under the constitution, consists of one chief and three associate judges who are chosen by the tribal council. They also serve four-year terms.

INFRASTRUCTURE

State Highway 73, a north-south route, and U.S. Highway 18, an east-west route, are the major traffic arteries. Gordon, Nebraska, 45 miles away, is the nearest railroad shipping center, while the nearest international airport is at Rapid City, South Dakota, 130 miles from the reservation.

Electricity - The Consumers Power Company and the LaCreek Power Cooperative provide electricity.

Water Supply - The Oglala Sioux Rural Water Supply System supplies water on the reservation. The Mni Wiconi Project is under construction to supply clean water

from the Missouri River to the communities that do not have potable water or have wells with poor water quality. The tribe provides solid waste collection.

Telecommunications - Golden West Telecommunications Company provides telephone service, and a tribal member provides cable TV service in the community of Pine Ridge.

COMMUNITY FACILITIES AND SERVICES

The tribe provides an elderly nutrition program, and it sponsors many community activities. Youth recreational services are provided through local nonprofit organizations including a rodeo club.

Education - Four high schools and 12 elementary schools serve approximately 5,577 private or public school children on the reservation aged 5–18. Healthy Start and Head Start programs work with preschool children. On March 4, 1971, the Oglala Sioux Tribal Council chartered the Lakota Higher Education Center. Pine Ridge High School was completed in 1994. Red Cloud Indian School, which operates elementary, middle, and high school campuses on the reservation, is a nonprofit corporation that operates as an accredited private school. The school emphasizes retaining traditional Lakota values, linguistic skills, and cultural heritage, while striving toward academic excellence. It had an enrollment in excess of 600 students in 2002.

Oglala Lakota College, founded in 1971, is a tribally chartered and operated university offering GED, associate and bachelor's degrees, and, more recently, master's study programs. In keeping with the college's mission—"Piya Wiconi," a Lakota expression meaning a new beginning for harmony in fulfillment of aspirations and dreams—the college is committed to continuous quality improvement in providing outstanding teaching, research, community services, and assessment. Accreditation by the Commission on Institutions of Higher Education, North Central Association of Colleges and Schools was first granted in 1983. Nursing graduates are certified by the South Dakota State Board of Nursing and are permitted to sit for the registered nurse examination. The college was responsible for beginning the first child and spouse abuse prevention programs on the reservation, for developing alcohol and drug abuse intervention programs, and for conducting economic development conferences leading to the formation of The Lakota Fund.

Health Care - In 1994, the Pine Ridge Reservation Comprehensive Health Care Facility, an Indian Health Service hospital, was dedicated and opened for patient care. An intensive care unit, modern monitoring equipment, a respiratory therapy program, and new pediatric care facilities have all been added since 1997. Decorated with tribal themes, the hospital welcomes traditional healers and medicine men along with Christian or other spiritual workers. A community health representative and an ambulance service serve for the reservation. The health department provides eye exams and eyeglasses to all residents at reduced rates. There is a dialysis center on the reservation.

Section 2

Program Review May 12, 2006

This facility was built in 1981 with the intent of use as a holding facility and a substation for the use by law enforcement, housing the police, fire and emergency services for the community. This facility has been converted into the Porcupine Communications Center which is now serving the Pine Ridge Reservation as the 911 dispatch center for emergency services as well as the primary repository for all critical data at the data processing center for the reservation. The original two cells have been converted into the 911 dispatch center and the data processing server room. The original garage for the fire trucks has been converted into offices for the 911 dispatch supervisor and an office for the supervisor for the Porcupine Communications Center as well as a Training Center for officers around the Pine Ridge Reservation. This is a critical building in that it serves as the 'Command-and-Control' hub during a local or national emergency for all Life-Safety and Emergency services as well as the primary repository for all critical data at the Pine Ridge Reservation. This center is now linked to the Oglalas Sioux administration building at Pine Ridge that houses a secondary data processing center and server repository for the Pine Ridge Reservation.

1. Funding of Operations

The facility is owned by the BIA. The tribe provides for the operations of the building through the PL 638 funds. Operations are also funded by the communications surcharged levies paid by the residents at the Pine Ridge Reservation.

2. Funding of Repairs and Maintenance of Facility Structure

The BIA provides for the repair and maintenance of the facility.

3. Policies and Procedures

There are no policies or procedures for the operations at the facility.

4. Staffing

There are 12 full-time dispatch officers who use the facility. Ten more officers will be added by the end of 2006. There are no detention officers.

5. Programs

There are no programs for the benefit of inmates at this facility.

6. Staff Training

The officers who serve the facility are certified through the State of South Dakota. The facility has found that it is most cost effective for the officers to be trained at Pierre in South Dakota. The officers are trained as 911 dispatchers culminating with a formal certification by the State of South

Dakota. In addition, the officers are also trained for EMT, MCIC, advanced Public Safety Dispatch, Communications Officer, FEMA (ICS) National Incident Management System and for CPR training.

7. Space for Inmates On-Site
There were two cells that have been converted into the Central Dispatch Center and the Data Processing Center.
8. Space for Inmates Off-Site
All inmates are sent off-site to Pine Ridge and elsewhere.
9. Staffing Capacity for the Inmates On-Site
There are no detention officers. The facility will not be used for incarceration.
10. Staffing Capacity for Transportation and Escort for Inmates
The facility is still used as a substation for law enforcement. Thus police officers provide for the transportation and escort of the inmates to off-site locations.
11. Office Supplies for Staff
There are insufficient funds through the PL 638 program to procure sufficient office supplies. Additional funds from the communications surcharge levies paid by the cell phone users at the Pine Ridge Reservation are used to provide for office supplies. There are sufficient office supplies for staff at this time.
12. IT Equipment for Office Use
The IT equipment consists of equipment for the police substation, equipment for the central dispatch for 911 services, equipment for law enforcement services, equipment for fire services, equipment for the Indian Health Services, equipment for the EMS services and equipment for the National Park Service. There is sufficient IT equipment for office use.
13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.
14. Personal Supplies for Inmates
Personal supplies for the inmates are not needed at the facility.
15. Uniforms for Staff and Inmates
There is inadequate funding for uniforms for the staff. Uniforms are not needed for the inmates.
16. Linen for Inmates
Blankets and mattresses are not needed for the inmates.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are adequate though old. There is no furniture for the inmates.
18. Transportation Vehicles
The law enforcement officers use their vehicles for transportation of the inmates.
19. Fuel for Vehicles
There is insufficient funding in the PL 638 program for fuel for the vehicles.
20. Utilities for Facility
There is sufficient funding for utilities for the facility.
21. Hot and Cold Water for Kitchen, Laundry and Showers
There are no kitchen, laundry or shower facilities at the facility. However, hot and cold water are sufficient at the sinks and the toilets.
22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. However, there is insufficient lighting in the high bay areas in what used to be the garage for the fire trucks, and is now being used as the police substation, administration offices for the supervisors and a training facility for law enforcement officers.
23. Ongoing Repairs and Maintenance
There are no ongoing repairs or maintenance at this facility.
24. Deferred Repairs and Maintenance
The facility is in a state of disrepair. The physical building is settling at a rapid rate which is evident from the 4 inch separation of the sidewalk and stress-related cracks at 45° along the exterior block walls. Physical water is seeping up through the block-walls causing a potential for mold in the dispatch center. Because of openings that have been created in the building envelope, there is an infestation of wolf spiders, snakes and mice in addition to the plants such as creeping Jenny's that are growing through the cracks in the hollow block-walls and building separation. There is a fairly strong odor of raw sewage emanating from uncapped sewer lines and possible damage to the sanitation sewer line, at the edge of the building foundation where it has settled. A rusty coffee can serves as the cap for the sewer cleanout. The electrical service is not grounded to the new grounding that was required for the IT equipment and the service disconnect switch has been directly tapped to provide a distribution panelboard for the new equipment. Rainwater gutters have separated from the building anchors causing additional moisture to penetrate through the exterior block wall.

25. Medical Response at the Facility
There is no provision for medical response at the facility.
26. Booking Process at the Facility
There is no formal booking area at the facility and none is required.
27. Food Service at the Facility
There is no food service at the facility. The staff utilizes vending machines and a corner of the high bay storage area as the lunchroom and a food prep area for the staff that is on duty around the clock throughout the year.
28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.
29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. The public safety officer gathers and hauls all the trash at the facility at periodic intervals.
30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Repairs and maintenance are minimal and services are provided when called for. Major repairs and upgrade services are provided by the tribal repair team.
31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.
32. Healthcare Assistance in the Community
There is an IHS clinic in the community about 1 mile away from the facility. There is no ambulance service in the community.
33. Other Support Agencies in the Community
There are no specific support agencies in the community. All support agencies are located at Pine Ridge.
34. General Reasons for Detention
Though inmates are not detained at this facility, there are drugs-related violent crimes in the community, which eventually leads to demands for detention at other facilities.
35. Potentially Harmful Conditions and Behavior of Inmates
Inmates are not held at this facility.
36. Accountability and Reporting of Incidents
Incidents are reported to the Chief of Police at the Oglalas Sioux Tribal Administration building in Pine Ridge.

Section 3**Facility Review
March 12, 2006**

1. Exterior Site Conditions
The exterior site conditions are poor for the functionality within the facility. This is a critical building that serves as the 'Command-and-Control' hub during a local or national emergency for all Life-Safety and Emergency services as well as the primary repository for all critical data at the Pine Ridge Reservation. The building is vulnerable to an intrusion. Additional parking is needed during training sessions and for the extended staff that will be added in the upcoming future.
2. Exterior Exercise/Recreation area
There is no provision for an exercise/recreation area and there is no such need. The chain-link fence topped with barbed wire provides an enclosed space behind the building. The space is not used for any specific purpose but it serves as a visual barrier to keep the general public from having access to the building from the back.
3. Exterior Perimeter Security
The exterior perimeter security is adequate. There is bullet-resistant glass at the only window and the front entrance door is locked and monitored with a camera and an intercom system. There is coverage with cameras all around the perimeter; however, the north and west views are very blurred at the camera monitors in the dispatch center.
4. Sally Port Security
There is no Sally port at the facility.
5. Building Interior Security
There is one camera in the interior corridor at the facility which provides basic coverage but no recording of the individuals who have entered the building.
6. Building Structure
The building is a block-wall structure on a block-wall foundation.
7. Building Roof
The building has a flat metal deck roof with a tar and gravel cover. There have been no reported incidents or signs of leakage at the roof.

8. Interior Ceilings
Interior ceilings are adequate at this time in the dispatch center, data processing center and the front offices. These consist of dropped lay-in ceilings in the office areas and hard ceilings in the dispatch center and the data processing center area. There are no ceilings in the original garage area which is now used as offices, training facility and lunchroom.
9. Interior Walls
Interior walls are of hollow block-wall construction.
10. Interior Flooring
Interior flooring is painted concrete in the garage area and glued on vinyl tile in all other areas.
11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.
12. Interior Isolation Cells
There are no interior isolation cells at the facility.
13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.
14. Booking and Intake Area
There is no specific area designated as booking and intake area at the facility. Such function is conducted in the officer's vehicle.
15. Visitation Area
There is no area designated as the visitation area for the visitors at the facility.
16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.
17. Dining Area
There is no dining area at the facility. A corner of the high bay storage area has been designated as the lunchroom for the staff who serves the facility around-the-clock, around the year.
18. Day Room Area
There is no day room area at the facility.
19. Vocational Training Area
There is no vocational training area at the facility; rather the facility has developed a training center that is used for the training of law enforcement officers.

20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility.
21. Toilets and Showers
There are no showers at the facility. There are two toilets that are in fair condition at this time. However, the doors to the toilet do not close since the door jambs have been skewed by the settling of the building.
22. HVAC System
The HVAC system is located on the roof and the mezzanine of the dispatch and data processing area. Additional cooling is provided by independent refrigerated-cooling units that are located in the dispatch area and two additional condensing units that are located outside the facility. Heating is provided by electric unit heaters and suspended radiant heaters in the high bay storage space that is now being used as the offices, training area and lunchroom. This space is both difficult to heat and cool, as the use has changed over time and the HVAC system has not kept up with the changed use of space. Though some cooling has been added for the additional electronic equipment, heating in the facility is insufficient and is still provided by the original heating system that was installed in 1981.
23. Plumbing System
The plumbing system is in disrepair and the sanitation drains are plugged up and/or damaged/disconnected and need to be replaced appropriately. The facility is served by an independent sewage treatment lagoon about 1000 yards away from the facility.
24. Lighting System
The light fixtures are adequate in the offices, dispatch center and the data processing center. However, they are inadequate in the original high bay storage area.
25. Electrical Power System
The electrical power system appears to be adequate in capacity for the size of this facility. A pad mounted transformer serves the facility through a system of two disconnect switches one of which has been double tapped for the new IT equipment. The building is served by two, 200 amp, 208 Y/120 V, three-phase four wire system and one additional 225 amp panelboard. This electrical system is supported by a standby pad mounted generator which is rated at 25 KW and is fed by propane. There are battery-backed emergency egresses lighting fixtures in the facility.
26. IT System
The existing IT system appears to be adequate for the use of the police officers and the dispatch at this facility.

27. Security System
There is minimal security system at the facility. The interiors are monitored by one camera and the exteriors are monitored by a series of cameras that do not have a very high resolution. The exterior window is fitted with bullet-resistant glass.
28. Energy Usage and Conservation
There is no awareness for energy conservation at the facility. The facility needs weatherization to prevent cold drafts through all exterior doors and rollup doors.
29. Fire Egress – Exterior and/or Secured Areas
The facility is fairly small and the path of egress is within a reasonable distance to the exit from the facility.
30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system consisting of smoke detectors but the system is not connected to a fire department since there is no fire department in the community. The response time for fire trucks is more than 35 minutes since they are located at Pine Ridge. There is a volunteer fire department in the community whose response may be as long as 30 minutes.
31. Building Access for Staff and Inmates
The staff uses the front entrance which is both locked and monitored by a camera and an intercom system.
32. Hazardous Materials
The facility does not have asbestos or lead paint.
33. Handicap Access for Staff and Inmates
There are no handicap access provisions for the use of disabled staff or visitors during training sessions at the facility.
34. Potentially Hazardous Elements
Inmates are not held at the facility.

Section 1

Background Information of the Rosebud Reservation

Served by the Rosebud Detention Center

Rosebud Reservation¹

Federal reservation
Sioux
Todd County, South Dakota

Rosebud Sioux Tribe

P.O. Box 430
Rosebud, SD 57570
605-747-2381
605-747-2905 Fax
Website: rosebudsouxtribe.org

Total area (BIA realty, 2003) 884,194.01 acres
Tribally owned (BIA realty, 2003) 483,486.66 acres
Federal trust (BIA realty, 2003) 400,044.99 acres
Individually owned (BIA realty, 2003) 662.36 acres

Population (2000 census) 10,469
Tribal enrollment (BIA, 2001) 24,134
Tribal enrollment (Tribal source, 2004) 25,196

Total labor force (2000 census) 3,616
High school graduate or higher (2000 census) 73%
High school graduate or higher (Tribal source, 2004) 31%
Bachelor's degree or higher (2000 census) 10.9%
Unemployment rate (2000 census) 20.1%
Per capita income (2000 census) \$7,279

LOCATION AND LAND STATUS

The Rosebud Sioux Reservation encompasses over 950,000 acres in south-central South Dakota just above the Nebraska state line, just east of and adjacent to the Pine Ridge Reservation. Established by an Act of Congress on March 2, 1889, the reservation encompasses the towns of Mission, Rosebud, Parmelee, St. Francis,

¹ Excerpts provided under license and permission to Shubnum, from Tiller Research, Inc. Tiller's Guide to Indian Country: Economic Profiles of the American Indian Reservations, 2005 Ed.

Okreek, and Hidden Timber. The Todd County line forms the northern and eastern borders; the Nebraska state line forms the southern boundary. The community of Rosebud, approximately 50 miles south of I-90 on Highway 83, serves as tribal headquarters. Rosebud is approximately 194 miles east of Rapid City, South Dakota.

CLIMATE

Data for Rosebud, South Dakota, is not available; however, climate information for Mission, South Dakota, 13 miles north of Rosebud is available and would not differ significantly. Year-round high temperatures at Mission, South Dakota, average 59°F. The average year-round low temperature is 32.4°F. The area receives approximately 19 inches of precipitation annually and suffers from extreme droughts at times. Snowfalls during winter months range between moderate and heavy, with 10-foot drifts during severe blizzard conditions reported periodically. The growing season is short, lasting only from June to August before the first frost. Daily year-round wind speeds average 14 miles per hour.

GOVERNMENT

The tribal government operates under a constitution consistent with the Indian Reorganization Act of 1934, which was approved by the Rosebud Sioux Tribe's tribal membership and tribal council in 1937. The tribal charter designates a tribal council, which consists of a president, vice-president (elected at-large), secretary, treasurer, sergeant-at-arms, and 20 elected members from the 13 districts, apportioned by population. The tribal council president is the tribe's administrative head and serves a two-year term. Tribal council members appoint the secretary, treasurer, and sergeant-at-arms.

The Rosebud Sioux Tribe, under PL-638, contracts with the BIA to administer key programs and services to improve life on the reservation for its membership. These include: ambulance, commodity distribution, alcohol, daycare, resource development, community health representative, child welfare, juvenile detention center and diversion, juvenile wellness court, law enforcement and criminal investigation, land office, natural resources, tourism, youth advocacy and youth affairs, prosecutor, water resources, White River Health Care, tribal education, right of way, utility company, solid waste, the Spotted Tail Crisis Center, tribal courts, Head Start, emergency preparedness, forestry, fish and game. The treaty office staff is composed of elders and youth who understand historical aspects of the 1868 Treaty (and others).

The Rosebud Sioux Tribe is the first tribe to implement a comprehensive Cultural Resource Management Code, which will manage cultural sites, plants, remains, records, and research with an eye to preserving and protecting these valuable resources. The tourism office's cultural tourism-planning model provided the impetus and mandate for the Cultural Resource Management Code. Current efforts include identifying funding to fully staff the Cultural Resource Management Department.

INFRASTRUCTURE

There is one airstrip, the Mission Airport, located in Antelope, South Dakota. South Dakota Highway 18 runs east-west across the reservation, while State Highway 83 bisects it north-south. The two highways intersect at the town of Mission. Highway 83 is a major transcontinental trade corridor connecting Mexico with Canada, crossing the United States in between.

Electricity - The tribal utility commission provides regulatory oversight of the utilities being provided to reservation residents. In a pilot project with the U.S. Department of Energy, the tribe constructed a wind-energy turbine near the casino and has been successful in generating sufficient power to supply the casino with wind-generated electricity.

COMMUNITY FACILITIES AND SERVICES

There are 20 communities on the reservation and each has its own community center and offices that house specific programs. There are apartments exclusively for tribal elders, offering nutritional programs and medication management assistance. The Rosebud Sioux Tribe has its own ambulance service and police department. The town governments of Rosebud, Mission, and White River have their respective police forces, as well.

Public Safety - Law enforcement and tribal court services are PL-638 contracted by the tribe and fall under the tribe's law and order code. The tribe's "RST 2002-04 Sicangu National Highway Safety, Traffic/Crash Information" booklet received a national achievement award from the BIA National Indian Highway Safety Program. The booklet is the first of its kind in Indian Highway Safety and will serve as a model program for other tribes. The Wanbli Wiconi Tipi JDS-Youth Wellness and Renewal, a 51,646-square-foot youth facility with 36 beds, is the tribe's newest facility, and it will provide detention services for adjudicated Rosebud youth.

Education - In the late 1870s, at the request of Sinte Gleska (Spotted Tail), an Itancan leader of the Sicangu, the "Black Robes" or Jesuits, were invited to begin a mission school on the Rosebud Reservation. Thus, the St. Francis Indian School was born in 1886, and it continues to operate today, offering education to students in grades K-12. The Todd County Middle School also operates in Rosebud.

The St. Francis Indian Mission operates many programs and services on the reservation, including an educational grant program, a youth education training program, a program to hire and retain residents of the reservation, pastoral works and programs within the Lakota faith communities, retreats and spiritual development through the Icimani Ya Waste Conference Center, and the local radio station.

Sinte Gleska University, named in honor of the famous chief who supported the education of his people, was founded in 1971. It is a fully accredited four-year institution of higher learning, the first reservation-based university in the United States. Two of the more important programs offered at Sinte Gleska are the job-related training programs that provide a skilled labor force for the tribe and the teacher training programs that work closely with the reservation community schools. This university and the tribe have a close working relationship.

Section 2**Program Review****May 19, 2006**

1. **Funding of Operations**
The operations part of the program is 100% funded by PL-638 from the BIA. This year, the total amounted to \$1,600,000, which included funding for both operations for the detention, as well as operations for the police and dispatch. However, for this year, only as a special consideration, the tribe contributed \$800,000 towards the operations of the detention facility. This additional funding resulted from funding left over from the juvenile facility.
2. **Funding of Repairs and Maintenance of Facility Structure**
Separate funding from the BIA provides for the repairs and maintenance of the facility. This averages about \$300,000 annually.
3. **Policies and Procedures**
The facility uses the tribal policies and procedures that have been written in a BIA format, which includes the BIA table of contents. The tribal policies and procedures include a few cultural items but they are not implemented due to lack of space and personnel. On the day of the visit a search was conducted to locate these policies and procedures. However, neither the tribal nor the BIA policies and procedures could be located at the facility even though a sincere attempt was made to find them. The detention officer indicated that they generally train on a one-to-one basis from each other.
4. **Staffing**
There are five full-time detention officers, four of whom are certified. In addition a full-time cook assists with cooking. There are three additional individuals in the Police Department who assist with the full-time administration. These include the Chief of Police, Captain and a Business Manager/Administrator.
The detention officers work in 8-hour shifts, unless absolutely necessary, when they switch to 12-hour shifts. Generally there are two detention officers on duty on most days, unless one officer has a day off. There is only one detention officer on duty generally about 30% of the time.
5. **Programs**
The facility participates in a community work program where the courts allow inmates with minor offenses to work-off their prison time by providing cleanup services in the community. The facility provides a trustee program.