

32. **Hazardous Materials**
The building was built in 1980 and as such there is no reported asbestos or lead paint. There are no signs of growing mold.
33. **Handicap Access for Staff and Inmates**
There is a ramp with handrails at the front entrance. However, there are no provisions for disabled staff, visitors or inmates at the facility.
34. **Potentially Hazardous Elements**
Inmates may harm themselves by using articles of clothing and corners of the double bunk bed or holes in the steel bedpan of the single bunks.

DRAFT

Section 1

**Background Information
of the
San Carlos Apache Reservation
Served by the San Carlos Detention Center**

San Carlos Apache Reservation¹

Federal reservation
San Carlos Apache
Gila, Graham, and Pinal counties, Arizona

San Carlos Apache Tribe
P.O. Box "0"
San Carlos, AZ 85550
928-475-2361
928-475-2492 Fax
Web site: http://www.itcaonline.com/tribes_sancarl.html

Total area 1,826,541 acres

Population (2000 census) 9,385
Tribal enrollment 8,921

Total labor force 2,679
High school graduate or higher 57.7%
Bachelor's degree or higher 2.8%
Official Unemployment rate 16.4%
Unofficial Unemployment rate 82%
Official Per capita income \$5,200
Unofficial Per capita income – Ranges from \$1 to \$2 per person, per day

LOCATION AND LAND STATUS

The San Carlos Apache Reservation includes approximately 2,896 square miles of south-central Arizona, 20 miles east of the town of Globe and about 100 miles west of the metropolitan Phoenix area. The town of San Carlos, off State Highway 70, is the population center and the location of the tribal headquarters.

An Executive Order on November 9, 1871, established a joint White Mountain–San Carlos Indian Reservation. The two tribal entities were partitioned into separate

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.

reservations along the Salt River by an Act of Congress on June 17, 1897. The San Carlos Reservation lands were increased by an Executive Order on December 14, 1972.

PHYSICAL DESCRIPTION

Renowned for its natural beauty, this immense reservation ranges from low plains and rolling desert hills dotted with saguaro cacti, to piñon pine forested, high-mountain terrain. The elevation at San Carlos, the tribal headquarters is 6,040 feet.

CLIMATE

Due to the large land mass and varying topography, the potential for different weather systems on the reservation is great. The average year-round high temperature at San Carlos is a moderate 68°F. The average year-round low temperature is 37°F. The area receives almost 19 inches of precipitation annually, with approximately 12 inches of that falling as snow.

CULTURE AND HISTORY

World-renowned basket weavers, the San Carlos Apache are a branch of the Athabascan peoples who migrated to the Southwest from the interior of Alaska and Canada, probably about the tenth century. Athabascan languages are still spoken by peoples in the north, as well as, by a few small groups in northern California. Today, the tribe is composed of members from many different Apache bands, such as the Aravaipas, Chiricahuas, Coyoterros, Mimbrenos, Mogollons, Pinalenos, San Carlos's, and Tontos. It is the seventh largest reservation in the nation in terms of population and the largest in land mass.

The reservation and tribe were named for their location near the intersection of the San Carlos and Gila Rivers, where the United States Army had established a military fort. Although greatly feared by Anglo settlers in the area during the mid-nineteenth century, the Apaches were ultimately forced from their land and onto the reservation, which was established in 1874. It was to this lonely outpost that the great Chief Cochise was taken after his surrender in 1873, and it was from this location that Geronimo led his escaping followers to freedom. After the discovery of copper and silver in the Miami and Clifton-Morence areas, the United States government took back large areas of the reservation five different times by 1902. The repossessed land was eventually given back in 1972.

GOVERNMENT

The tribal government, formed as a result of the Indian Reorganization Act of 1934, is governed by an elected council representing four districts that operate under a written charter (which was ratified in 1955) and a constitution (which was adopted in 1936, revised in 1954, and amended in 1984). The council has a chairman, a vice chairman, an appointed treasurer and secretary, and nine elected district representatives, each representing one of four districts, all serving four-year terms. The Bylas district elects three council members, while Gilson, Peridot, and Seven Mile districts elect two members each.

The tribe, under PL-638, contracts with the Bureau of Indian Affairs to administer key programs and services, such as the tribal court system, which includes tribal judges and the San Carlos Tribal Police Department to enforce ordinances. Additional tribal

departments manage the community's economic, educational, legal, health, and cultural affairs.

INFRASTRUCTURE

U.S. Highway 70, a primary scenic route between Phoenix, Arizona and Lordsburg, New Mexico, bisects the reservation, passing through the San Carlos Industrial Park at Cutter and the town of San Carlos. In addition, U.S. 60, the direct route between Show Low and Globe, cuts through Salt River Canyon on the reservation. Overnight truck delivery is available to metropolitan Phoenix, Tucson, El Paso, Albuquerque, Las Vegas, Nogales, and Sonora; second-day service is available to Los Angeles and San Diego. Passenger and freight bus services are available daily from Globe and Miami, Arizona. Residents have access to the local airstrip in San Carlos, which has a lighted and paved 7,000-foot runway and to Globe Airport, 18 miles to the west, where there is a 4,750-foot lighted and paved runway and a UNICOM navigation system.

Electricity – Electricity is available on the reservation from the Arizona Public Service, Graham County Utilities, or the San Carlos Irrigation Project.

Fuel – Natural gas is offered by Southwest Gas Corporation.

Telecommunications – Telephone and high-speed Internet services are provided by the tribally owned and operated San Carlos Apache Telecommunications Utility.

COMMUNITY FACILITIES AND SERVICES

The San Carlos Apache Tribe offers a wide range of community facilities, including a library, a rodeo arena, six ballfields, two convenience stores, a supermarket, a gas station, and a coin-operated laundromat.

The reservation receives numerous radio stations from Globe, Safford, Tucson, and Phoenix. Apache Cablevision, now owned by the San Carlos Telecommunications Utility, Inc. offers the communities of San Carlos and Peridot basic cable television services.

Education – The San Carlos Unified School District offers education from K – 12th grade. Tuition assistance for college bound students is available through the tribe's education department, and the adult education program offers post high school opportunities geared towards trade skills for students seeking training and employment programs. Adult education and GED preparation is also provided through the education department.

Health Care – There is a 32-bed U.S. Public Health Service hospital, with seven doctors and two staff dentists. The facility includes an emergency room, a laboratory, X-ray services, social and psychological services, and inpatient and outpatient care.

Section 2**Program and Facility Review
June 4, 2006**

An interview to discuss the program and the facility was not granted by the Administrator and Director of the facility. The Administrator expressed his discontent with the lack of support and inaccurate/insufficient funding from the Bureau of Indian Affairs. The Administrator reported that the District Supervisor has not visited the site for over a year.

After a brief discussion, the Administrator kindly facilitated a tour of the facility and allowed photographing at the facility. The photographs are included as a separate document.

The new San Carlos detention center for adults and juveniles was opened on June 20, 2005. The facility is considered as a 'Place of Healing'. The old detention facility is still in operation and is used by law enforcement to incarcerate immigrants crossing the border and who are detained as result of violation of laws.

The facility has a staff of 40 full-time correction officers and nine administrative individuals. The facility is 54,000 square feet and provides housing with 156 beds. A total of 124 inmates were housed on the day of the visit. It was reported that the facility is presently operated at 80% capacity and is presently incapable of operating at 100% capacity because of a shortage of staff, which emanates from a lack of appropriate funding for Operations.

The administrator reported discontent with the training program administered by the BIA, including the method of accepting trainees and the method of training at the training academy in Artesia.

The general reason for apprehension and detention is the onset of drugs- related violent crime. The crime rate for this community is 1064, 4274 and 85,128 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

A water-softening system for cold water and booking software is needed at the facility. A four-inch sanitary sewer line needs to be excavated from within the building and relocated outside the building foot print.

Section 1

Background Information of the Tohono O'odham Reservation Served by the Tohono O'odham Nation Detention Center

Tohono O'odham Reservation (formerly Papago Indian Reservation)¹

Federal reservation
Tohono O'odham (Papago)
Pima County, Arizona

Tohono O'odham Nation

P.O. Box 837
Sells, AZ 85634
520-383-2028
520-383-3379 Fax
Web site: itcaonline.com/tribes_tohono.html

Total area 2,854,881 acres
Population (2000 census) 10,787
Tribal enrollment 9,718
Tribal enrollment (Tribal source) 24,000
Housing Units 3,510

Total labor force (2000 census) 2,947
High school graduate or higher 62.1%
Bachelor's degree or higher 5.4%
Unemployment rate 9.9%
Per capita income \$6,998

LOCATION AND LAND STATUS

The Tohono O'odham Nation, formerly known as the Papago Indian Reservation, is located in south-central Arizona, adjacent to the Mexican border. It is comprised of four specific, noncontiguous parcels: Tohono O'odham, formerly known as the Papago Indian Reservation, established in 1916; Sells, established in 1917; Gila Bend, established in 1882; and San Xavier del Bac, close to Tucson, established in 1874. There is also a 20-acre Village of Florence on the outskirts of the city of Florence. The total acreage of the reservation is comparable to the state of Connecticut, stretching along 75 miles of the United States border with Mexico, and northward for over 90

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miles through the Sonoran Desert. On January 14, 1916, the Papago Indian Reservation was established. Sells, commonly called the Main Reservation, was established by Executive Order in 1917. San Xavier del Bac Reservation, with more than 71,000 acres, was registered as a National Historic Landmark. In 1882, 10,377 acres were set aside by Executive Order for the Gila Bend Reservation. The town of Sells is the tribal headquarters. Approximately 1,000 tribal members live in Mexico, approximately 500 of who live in the U.S. without documents.

PHYSICAL DESCRIPTION

The elevation at Sells, the tribal headquarters, is 1,830 feet above mean sea level. Topography ranges between wide desert valleys, plains, and mountains reaching up to nearly 8,000 feet. Two very high mountains, Baboquivari Peak (7,730 feet. above sea level) and Kitt Peak (6,785 feet) are considered sacred by the Tohono O'odham. The famous Kitt Peak National Observatory sits atop Kitt Peak.

CLIMATE

The average year-round high temperature is 85°F. and the year-round average low is 59°F. The area receives approximately 9 inches of precipitation annually, with less than an inch of that falling as snowfall.

GOVERNMENT

The Tohono O'odham Nation, under PL 638, contracts with the Bureau of Indian Affairs (BIA) to administer key programs and services. They are governed by the Tohono O'odham Legislative Council. There are 11 political districts, each of which elects two members to the council, and a local government that maintains ties with the council. The council functions as the legislative branch and is headed by a chairman, a vice chairman, and a secretary.

The Tohono O'odham Justice Center is a separate branch; the center sits across from the main tribal headquarters. There are four courtrooms, office space including the judges' offices, and a lobby/reception area. Some of the judges are tribal members while the others serve on a rotating basis from the Tucson area, as the Nation is part of Pima County.

Main departments under the executive office are the General Support Service, the Planning Department, the Economic Development Department, the Department of Public Safety, the Department of Membership Services, the Department of Education, and the Department of Human Services.

INFRASTRUCTURE

The San Xavier Reservation is accessible by Interstate 19, south of Tucson. The rest of the reservation can be reached by Arizona State Highway 86, which connects to Interstate 19. State Highway 85, which runs north-south in the western part of the reservation, connects to Interstate 8 just north of the reservation. Interstate 10 passes to the north of the reservation on the east side. In Tucson, freight services are available on the Southern Pacific Railroad and from more than 32 truck freight companies. Two airports are used frequently, one in Sells, which has a 6,000 foot runway, and one in Tucson. The Tucson International Airport is 60 miles

northeast of the main reservation and provides a full range of private and commercial flights.

Utilities – The Tohono O'odham Utility Authority provides electric, telephone, water, and sewer services to homes and businesses. Water can also be obtained through the Central Arizona Project. Arizona Paging, out of Sierra Vista, offers pager service.

COMMUNITY FACILITIES AND SERVICES

Currently, per initiatives in 1997, five recreations centers are being built in the following districts: Sells, San Xavier, Pisinemo, Hickiwan and Menagers Dam, the estimated completion date, April 2005.

There is a rodeo arena, a baseball and basketball facility, and a tribal office complex.

Public Safety – The Nation funds its own Fire Department and relies upon the Bureau of Indian Affairs for police protection.

Education – Education is provided by seven preschools, seven elementary schools, four junior high schools, and three high schools. In addition, there is a BIA boarding school and a day- and boarding- school for the disabled. The Tohono O'odham Community College was established as a two-year college and now partners with the Career Center to provide all levels of postsecondary education. Pima Community College and the University of Arizona are nearby.

Health Care – Health care is provided at the 40-bed U.S. Indian Health Service hospital in Sells and by four outpatient clinics located in Santa Rosa Village, San Xavier, San Lucy, and Pisinemo. There is also a 60-bed nursing home, the Archie Hendricks Nursing Home, built by the tribe. A clinic on the west side of Nation, located south of State Highway 86, is currently in the infrastructure stage, and there are plans to build a dialysis center.

Section 2**Program Review
June 5, 2006**

The facility was built in 1962 to house law enforcement, dispatch, detention and the residence of the Chief of Police. At this time, the facility shares space with the law enforcement, dispatch and detention. The detention portion of the facility occupies 7200 square feet, which does not include the Conex box storage units, butler building laundry/storage and the free standing portables that are used for vocational training.

1. **Funding of Operations**
Funding for the detention operations is provided through the PL 638 program with a contribution of \$1.3 million and a tribal contribution of \$1.4 million for a total of \$2.7 million.
2. **Funding of Repairs and Maintenance of Facility Structure**
Funding for the repairs and maintenance of the facility are provided separately through the BIA facility programs.
3. **Policies and Procedures**
The policies and procedures as they specifically relate to this facility are very well developed. They are revised annually for modifications and changed as needed by the facility. The facility has developed specific guidelines for visitation as well as guidelines for visitor information property exchange. The facility has developed an inmate handbook that is handed out to the inmates. The facility has also developed the corrections specialist FTO manual as well as a corrections officer FTO manual.
4. **Staffing**
Though served by a very dedicated and proficient staff, the facility is severely understaffed. Often one officer is on duty and responsible for over 100 inmates.
There are 29 full-time detention officers, 25 of whom are certified and the remaining are awaiting certification. The facility operates on three, 8-hour shifts. Five officers are on duty on busy days; however, only three officers are on duty as a routine. Occasionally there is only one officer responsible for all of the inmates on a given shift.
This is so partly because of the duties that are performed by the detention officers who provide both transportation and escort of the inmates to the courts and to the healthcare facility. The highest use of staff is during the day shift with fewer demands during the swing shift and the least demand during the graveyard shift.

Up to very recently the facility operated on 12-hour shifts, which became unbearable and impractical after continuous operations for eight months.

5. **Programs**
The facility provides one of the largest numbers of programs throughout the Native American Justice System that are available for the benefit of the inmates. These programs include: Aerobics for male and female inmates twice per week; Alcoholics Anonymous meetings are conducted twice per week; One-on-one counseling is provided; Religious services from five different churches are provided; Classes in HIV prevention are conducted; Talking circle for men is provided; Hops - physical exercise program; Behavioral contracts program; Fatherhood program is conducted; Basket weaving program is conducted; Smudging program is conducted; A 'Sweat Lodge' program is conducted; A 'Movie Night' is conducted; Stress management classes are conducted; A 'Diabetic Prevention' program is conducted; and A sewing and quilting program is conducted.
6. **Staff Training**
The facility provides ongoing staff training that exceeds 40 hours per year for each officer. This continuing staff training includes: FTO program; Tuberculosis in the corrections system classes; The Jail Management program; Basic Supervision Program; Methamphetamine Prevention and Decontamination program; CERL - Corrections Emergency Response Team program; Peer Support Program; Facilities Management program; Direct Supervision program; Gangs prevention in Indian country jails; Corrections Technical Institute program; Taser training program; Spiritual and cultural training program; Inmate-Staff relations program; In-service training program every other week; Conference attendance; Corrections Academy program; Baton training program; Site incident prevention program; Diabetes prevention program; Defensive training tactics prevention program; Report writing classes; Use of force classes; Classes in FMIS; Mental health recognition program and a Food handler program.
For lack of space at this facility these programs and classes are often conducted in borrowed space at the Tucson Public Library.
7. **Space for On-Site Inmates**
The original building, built 44 years ago in 1962, with eight individual cells and eight dormitories for 34 inmates, now houses up to 145 inmates. There were 131 inmates on the day of the visit. Inmates are housed in the day rooms and any other available space throughout the facility. There is a severe lack of adequate space to accommodate the number of inmates who are housed at this facility.
8. **Space for Inmates Off-Site**
For lack of funds, inmates are not sent off-site.

9. **Staffing Capacity for the Inmates On-Site**
There is a severe shortage of staff for the number of inmates who are housed at this facility.
10. **Staffing Capacity for Transportation and Escort for Inmates**
The detention officers provide for the transportation and escort of the inmates to court and to the healthcare facilities. Two officers could use half a day for one transport of one inmate. Each transport takes away two officers. There are five separate courtrooms, each of which could use one officer. 15 to 25 inmates are escorted to court on Mondays. Generally two officers are constantly providing transportation to the healthcare facility, of which two to three provide escort to the healthcare facility and two provide escort to the dental facility.
11. **Office Supplies for Staff**
There is insufficient funding for office supplies for staff. Office supplies are borrowed from the police and often detention officers use their personal funds to procure office supplies and equipment such as external hard drives for the computer station.
12. **IT Equipment for Office Use**
The facility lacks appropriate IT equipment for office use. There is a need for one additional computer station and associated software. There is a need for an upgraded Spillman booking software system that could assist in creating ID cards for the inmates and visitors.
13. **IT Equipment for Communications Use**
There is insufficient funding for IT equipment for communications. The police generally furnish some radios. There is no panic transmit system for the personal security of the detention officers. There is no intercom transmit or receive system at the facility. There is a need for 26 Motorola MT-2000 series radios with push-to-talk switches, battery chargers and spare batteries.
14. **Personal Supplies for Inmates**
There is insufficient funding to procure the personal supplies for inmates. Inmates are constantly running out of personal supplies.
15. **Uniforms for Staff and Inmates**
Inmate uniforms, which wear out fast, are in short supply. Inmates wear casual clothes in addition to the orange jumpsuits. Officers are provided with an allowance of \$800 per year per officer for the procurement of appropriate uniforms and duty equipment.
16. **Linen for Inmates**
There is insufficient funding for blankets and towels for the inmates. There is a need for 40 replacement blankets, 40 replacement sheets and 60 towels.

17. **Furniture and Fixtures for Staff and Inmates**
 Except for the institutional furniture that was installed 44 years ago, there is no other institutional furniture at the facility. Plastic lawn chairs are used throughout the facility. There is a need for replacement institutional furniture for the number of inmates that are now housed at this facility.
18. **Transportation Vehicles**
 The detention facility has the use of three vans and one SUV. These vehicles are equipped with cages.
19. **Fuel for Vehicles**
 There is sufficient funding for the fuel for the vehicles.
20. **Utilities for Facility**
 There are sufficient funds for the utilities that are used at the facility.
21. **Hot and Cold Water for Kitchen, Laundry and Showers**
 There is sufficient hot and cold water for the kitchen, laundry and showers.
22. **Adequate Lighting for Inmate and Staff Areas**
 Certain areas have insufficient lighting and other areas have excessive lighting. The lights are kept switched on 24 hours a day throughout the year. Inappropriately placed lighting switches in the cells were removed and were not replaced with alternate switching at a different location. Inmates constantly complain of excessive lighting, especially those who are housed on the top bunk where the constantly switched-on lighting is about 36 inches from the face of the inmate. The ceiling height in the cells is about 100 inches and the surface-mounted light fixture is about 4 inches lower from the ceiling height, leaving about 36 inches from the face of the inmate.
23. **Ongoing Repairs and Maintenance**
 There are ongoing repairs for the kitchen equipment, combination sink/laboratory and the sanitary sewer drains.
24. **Deferred Repairs and Maintenance**
 The facility was built 44 years ago and has suffered from heavy use and inadequate repairs and maintenance throughout its life. There are a number of outstanding items that have been deferred for repairs and maintenance for lack of funding. The following repairs and maintenance are required:
1. Repair of all rooftop HVAC units and replacement of all swamp-cooler units on the roof.
 2. Repair all of the HVAC ductwork with appropriate new insulation and new controls for dampers and new control wiring and thermostats for the entire HVAC system.
 3. Replace existing boiler unit and with an appropriately sized boiler unit.
 4. Repair of the existing water softening system.
 5. Replacement of all aboveground plumbing system and plumbing fixtures including all 24 sink/lavatory combination units.

6. Replacement of all hot-water tanks sized to present capacity.
 7. Replacement of all exterior sanitary sewer lines and cleaning out of all interior sanitary sewer lines up to each plumbing fixture.
 8. Installation of rag screens at each cleanout of the sanitary sewer lines.
 9. Replacement of all electrical distribution system including the service entrance panelboard and associated distribution panelboards.
 10. Replacement of the backup generator and associated transfer switch.
 11. Replacement of the fire alarm system including all detectors and the fire alarm control panel.
 12. Replacement of all sprinkler heads with quick-release heads.
 13. Replacement of the walk-in freezers at the kitchen.
 14. Replacements of the three-compartment kitchen sink.
 15. Replacement of the Sally port sliding gate operator mechanism, keypads and sensors.
 16. Replacement of the roof with appropriate flashings for the skylights and flashings and supports for the HVAC units, ductwork, condensate drains and electrical system.
 17. Provision of a central control station separated from the booking station.
 18. Provision of reference windows to outdoor lighting at each cell and dormitory.
 19. Replacement of the existing garage-laundry with a sufficient-sized laundry for the number of inmates.
 20. Provision of appropriate secured storage space to replace all temporary storage units located on site.
 21. Provision of separate storage units for flammable liquids.
 22. Provision of a cell door electronic control mechanism with mechanical override to enable the evacuation of all inmates within three minutes.
 23. Provision of a secured staging area sufficiently separate from the facility for the safe evacuation of all inmates during an emergency.
 24. Provisions for disabled staff, visitors and inmates.
25. **Medical Response at the Facility**
 There is adequate medical response at the facility. There are two officers who are trained EMTs and are certified to provide first aid and CPR. The facility monitors and tests for tuberculosis, hepatitis and HIV. The facility also monitors for infections and diabetics with open wounds, all of whom are separated from the general inmate population. A jail clinic is held every Tuesday and Thursday that is run by two officers. 15 patients are observed and monitored each day. Medications are dispensed by the detention officers. An ambulance is called during an emergency and the inmates are transported to the hospital, which is five minutes away.
26. **Booking Process at the Facility**
 The booking station shares a common space with the central control station, all of which is located in a very limited space that is neither sufficient for a central control station nor for a booking station. Booking is conducted at the booking window in the corridor. Often the one detention officer on duty is

expected to concurrently monitor the cameras and conduct the booking. The restraining chair is stored in the laundry, which is operated in the outside garage about 300 yards away.
The facility uses the Spillman software system, which is updated annually.

27. **Food Service at the Facility**
There is an on-site kitchen at the facility which serves approximately 450 meals every day. This includes meals for the juvenile facility that are charged \$1.23 for each breakfast, \$1.65 for each lunch and \$1.28 for each dinner for the juveniles. The kitchen is furnished with equipment that is aging and needs constant repair. There is insufficient workspace and insufficient storage capacity at the walk-in refrigerators and freezers for the number of inmates that are served. The kitchen was originally designed 44 years ago, to serve approximately 100 meals per day for 34 inmates.
28. **Kitchen and Dining Staff at the Facility**
The kitchen and dining staff consists of one cook and two trustees most of the time with an additional individual who assists for two-hour duration during the busy time. The kitchen operates on two shifts. The cook is certified by the IHS as a food handler.
29. **Housekeeping staff at the Facility**
Inmates clean their cells and the general detention areas. The inmates also clean the administrative areas with supervision from the detention officers. The inmates provide all the laundry services as well.
30. **Repairs and Maintenance Staff at the Facility**
The repairs and maintenance staff is provided by the BIA. This staff consists of one supervisor and two helpers. The staff is overworked for they take care of all of the schools and other BIA buildings in the area. Often the response from the repair staff is that of an initial assessment of the need for repairs followed by a very long period without any action. The general reason for such lengthy inaction is given as 'shortage of parts' or 'waiting for parts'.
31. **Inmate Services Provided at the Facility**
A number of inmate services are provided for the benefit of the inmates at this facility. These are noted earlier in item 5.
32. **Healthcare Assistance in the Community**
Healthcare assistance in the community is provided by the Indian Health Services (IHS), which provides basic healthcare and routine dental care. The IHS provides referrals to the Tucson area hospitals for major surgeries and healthcare needs.
33. **Other Support Agencies in the Community**
The Tohono O Odham Cultural Center TOCC provides parenting classes, storytelling and programs in 'victim assistance'.

34. **General Reasons for Detention**
The general reason for apprehension and detention is the onset of drugs-related violent crime. The crime rate for this community is 558, 1658 and 16,188 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.
35. **Potentially Harmful Conditions and Behavior of Inmates**
Inmates can potentially harm themselves using articles of clothing and HVAC vent screens inside the cells. They can harm themselves with electrical cords that are available in the day room. Inmates can also harm themselves with the surface-mounted electrical light fixtures that are located in close proximity to the top of the upper bunk. In the past, inmates have attempted suicide by taking an overdose of medications after having saved several individual doses over a period of time.
36. **Accountability and Reporting of Incidents**
All incident reports are sent to the local tribal authorities and reported to the BIA.

DRAFT

Section 3**Facility Review
June 5, 2006**

The facility was built in 1962 to house law enforcement, dispatch, detention and the residence of the Chief of Police. At this time, the facility shares space with the law enforcement, dispatch and detention. The detention portion of the facility occupies 7200 square feet, which does not include the Conex box storage units, butler building laundry/storage and the free-standing portables that are used for vocational training.

1. **Exterior Site Conditions**
Exterior site conditions are adequate for the facility; even though the facility is located in a populated area, it is enclosed with sufficient secured fencing that prevents access of the general public directly to the building other than the main entrance.
2. **Exterior Exercise/Recreation Area**
There is a very small exterior exercise/recreation area which is well secured and provides two institutional picnic tables. An unsecured area outside the secured fencing is provided for a sweat lodge.
3. **Exterior Perimeter Security**
The exterior perimeter security is adequate. In addition to the cameras that monitor the exterior of the building, three sides of the building are enclosed with secured fencing topped with razor wire.
4. **Sally Port Security**
The Sally port consists of a drive-through around the building and up to the corridor entrance for booking. Entry and exit at the secured fence is controlled by limit switches and sensors which are controlled through a keypad security system.
However, there is an illusion of a safe and secure Sally port enclosed by the secondary security fence. Though the north secondary security fence has a sliding gate, and a keypad security operator, it is normally kept open as a result of a large amount of vehicular movement between the vehicle storage/parking area and the exterior of the secured fencing. The sliding gate operator for the other gate in the south secondary fence is inoperative.
5. **Building Interior Security**
The interior security for the inmates within the building is adequate. Cameras are provided at a number of locations both in the individual cells and the day rooms. The cameras are monitored at the booking station which

also serves as the central control station. This camera system was installed four years ago.

The interior security for the officers within the building is inadequate. There is no intercom system to transmit or receive from within the cells, dormitories or the day rooms. Officers rely on their radios and psychology for their personal security. An officer is at a high risk of being assaulted and harmed by the sheer number of inmates in a space that she is exposed to for her routine duties.

6. **Building Structure**

The building consists of block-wall construction with slab-on-grade.

7. **Building Roof**

The building roof is in disrepair. It consists of a rubberized membrane flat roof with a large number of HVAC heat pump units, piping supports, electrical conduits, skylights and exhaust fan outlets that penetrate the roof. The parapets are in disrepair and the seams at parapet caps have disintegrated. The rubberized membrane is disintegrating at the corners. Standing pools of condensate water and signs of evaporated pools were observed on the roof. It appears that the rubberized membrane has disintegrated early as a result of ultraviolet radiation.

It was also observed that the swamp coolers have an excessive buildup of mineral salts from the hard water. All pans for the swamp coolers have excessive algae and the motors for the swamp coolers are corroded. The mineral salts have also built up in the condensate lines for the heat pumps which are now clogged and prevent appropriate drainage at the heat pumps. Roof leaks are caused as a result of the deteriorating roof membrane and standing pools of condensate water on a flat roof which simulates a condition of constant rain. The facility reported constant leaks in the building from the roof.

8. **Interior Ceilings**

The interior ceilings consist of hard ceilings in the housing area and glued-on tile ceilings in the office areas.

9. **Interior Walls**

The interior walls consist of block-wall construction.

10. **Interior Flooring**

The interior flooring consists of glued-on tile on concrete slab in the office areas and painted concrete in the housing area. The floors were painted by the inmates on the day before the site visit.

11. **Interior Dormitory Cells**

The dormitory cells are in disrepair as a result of heavy usage. The cells have been recently painted by the inmates who also painted over several of the sprinkler heads. There is no reference to outside lighting within the cells. The day rooms are also used as dormitory cells with mattresses on the floors.

12. **Interior Isolation Cells**
Interior isolation cells are in disrepair.
13. **Interior Detoxification Cells**
Interior detoxification cells are in disrepair. Though painted recently the floor drains are clogged and do not flush. The detoxification cells do not have any padded surfaces.
14. **Booking and Intake Area**
The booking and intake area is small and has been converted into the central control station for the detention officers such that it does not serve the purpose of a central control station or that of an appropriate booking station. There is only one surveillance monitor that monitors all of the cameras that are located inside and outside the building.
15. **Visitation Area**
The visitation area is small and does not provide sufficient space for the visitors for the number of inmates at the facility. An intercom system is available to communicate with the visitors.
16. **Kitchen, Food Preparation and Pantry Area**
There is a very small kitchen with a very inadequate food preparation area and a pantry area. The kitchen serves 450 meals per day using aging kitchen equipment that requires constant repair. There is insufficient ventilation or cooling which forces the back door to the kitchen to be kept open at all times. There is no restroom for the kitchen staff.
17. **Dining Area**
The dining room serves as the day room and the dormitory for the inmates. The space is equipped with institutional furniture that was installed 44 years ago.
18. **Day Room Area**
The day room also serves as the dining room and the dormitory for the inmates. The day room provides a television set with access to electrical cords to the inmates. The day room also requires additional ventilation, which forces the use of portable circulation fans and electrical extension cords that are available to the inmates.
19. **Vocational Training Area**
Vocational training is conducted in small makeshift portable units that are located outside the building. The facility has also made arrangements to provide vocational training through the facilities of the community and the Tucson Public Library.

20. **First Aid and Medical Assistance Area**
There is a very small first aid and medical assistance area that is available for routine medical checkups and for the dispensing of medications.
21. **Toilets and Showers**
All toilets and showers are in disrepair and need replacement.
22. **HVAC System**
HVAC system consists of eight roof-mounted heat pumps, two local condensing units and six swamp coolers, all of which are located on the roof and in disrepair.
23. **Plumbing System**
The plumbing system, including all aboveground water lines and all associated plumbing fixtures, are in disrepair and need to be replaced. All underground sanitation sewer lines need to be cleaned out.
24. **Lighting System**
There is excessive lighting in the housing area that needs to be switched off at appropriate times so as to provide a lower level of lighting during the sleeping hours. At this time there are no light switches and no night-lights in the housing area. The entire housing area is kept lighted 24 hours a day all year long. Lighting in the staff area is appropriate.
25. **Electrical Power System**
Capacity for the electrical power system is being upgraded at this time. The backup generator does not operate and does not have any logs to indicate any routine testing that would have been conducted once a week and a full load test once a month. The facility lacks a battery-backed emergency egress lighting system.
26. **IT System**
IT system at the facility is inadequate. The facility needs one additional computer station and associated software.
27. **Security System**
The building has a very linear design and as such requires extensive monitoring for appropriate security at the facility. The building is furnished with interior and exterior cameras that are monitored at the central control station. The facility does not have an intercom system for the security of the inmates or the officers.
28. **Energy Usage and Conservation**
There is little awareness of energy conservation at the facility. Lighting is kept on at all times. Doors are kept open to provide ventilation.

29. **Fire Egress – Exterior and/or Secured Areas**
Fire egress from the interior secured areas to the exterior is poor. In an emergency, this facility with the number of inmates who are housed cannot be evacuated in three minutes to a safe and secure staging area outside the facility. There is no secure staging area at a sufficient distance from the facility to serve as a secure staging area. There is an illusion of a safe and secure staging area enclosed by the secondary security fence for while the north secondary security fence has a sliding gate, and a keypad operator, it is normally kept open as a result of a large amount of vehicular movement between the vehicle parking and storage area and the exterior of the secured fencing. The sliding gate operator for the other gate in the south secondary fence is inoperative. These two sliding gates also make up the Sally port.
30. **Fire Alarm, Fire Extinguishers and Sprinkler System**
There is an aging fire alarm system that includes detectors. The fire alarm system and the sprinkler system do not extend to the laundry, which is operated in a butler-building garage and that also serves as a storage area for all of the flammable chemicals. There is no record of routine testing of the fire alarm system. There are fire extinguishers that are located at appropriate locations but there is no record of routine testing of such fire extinguishers. There is a fire sprinkler system but there is no record of routine testing of the system. Many of the sprinkler heads have been painted over and it is uncertain if such sprinkler heads will operate appropriately.
31. **Building Access for Staff and Inmates**
The staff accesses the building from the front entrance; however, the kitchen staff accesses the building through the kitchen door and the normally open Sally port gate in the secondary security fence. Inmates are escorted through the back door near the booking station.
32. **Hazardous Materials**
The facility was built 44 years ago when asbestos and lead paint were prevalent in the construction. There are no records of abating such materials if they were present in the building.
33. **Handicap Access for Staff and Inmates**
The building does not have any provisions to accommodate disabled staff, visitors or inmates.
34. **Potentially Hazardous Elements**
Inmates can potentially harm themselves using articles of clothing and HVAC vent screens inside the cells. They can also harm themselves with electrical cords that are available in the day rooms around the portable circulating fans and the television sets. Inmates can also harm themselves with the surface-mounted electrical light fixtures that are located in close proximity to the top of the upper bunk.

Appendix D**Findings at Existing Facilities in 34 Key Categories**

Besides the individual reports on assessments of each individual site that were provided in Appendix C, an overview of our findings is provided here, 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 such critical deficiency, which collectively are sufficient reason to decommission the facility sooner than later.

While all of the key categories are important, those identified with their headings in bold font are critical for the continued operations of the facility. The findings are noted on the pages that follow.

Findings at Existing Facilities in 34 Key Categories

1. Assessment at Individual Facilities

One of the most difficult elements for the law enforcement officials was to understand that this exercise was an assessment of the programs and facilities rather than an inspection.

We found a very dedicated and loyal group of women and men who are serving the law enforcement institutions throughout the Native American Country. These individuals work under difficult conditions well above and beyond the call of duty. They need to be commended for their continuing efforts to make a difference.

The State of Law Enforcement in Native American Country is ailing with multiple and interrelated ailments. One affects the other in a continuum. These ailments have been identified and are a cause of concern that needs to be addressed. Approximately 6229 pictures were taken to establish a pictorial record for each of the facilities that were assessed.

Some of the concerns that are tangible in nature have been grouped as a pictorial of photographs and are included in Appendix E, Critical Concerns - Pictorials.

2. Funding

There is a complex system of funding that is set in place for law enforcement in general and detention facilities in particular. In general, funding is appropriated and disbursed in the Buildings/Operations categories. There are other nuances within these broad categories that make the flow of funds difficult to follow through and trace to its final usage. Flow of funds is generally categorized for the following:

(A) Total Tribal Building/Operations

(1) Tribal Owned – Tribal Operated. The tribes own and operate the buildings and operations. This system does not appear to have a follow-through trail for the use of funds.

(B) Partial Tribal/BIA Building/Operations

BIA PL 638 Program – The tribes contract with the BIA under the PL 638 Program. Funding is generally pooled at the tribal level. Once the funds are pooled, this system does not have the follow-through trail for the use of funds. The system includes:

(1) Tribal Owned – BIA Operated. This system does not have a clear follow-through trail for the use of funds.

(2) Tribal Owned – Tribal Operated. This system does not have a follow-through trail for the use of funds.

These systems perpetuate an inability of the funds to 1) Fund the appropriate needs, 2) Reach the end users in time to meet their needs or 3) Ever reach the end users at all. Often the funds are diverted for uses other than that which they were intended for. All facilities that were studied are underfunded for the tasks that they are expected to undertake.

Lack of appropriate funds and/or the lack of funds reaching the appropriate usage, has resulted in increased risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

The system of funding has grown and modified over a number of years. At this time, the system is not transparent and severely lacks accountability to the source of funds.

3. Policies and Procedures

There is a severe lack of cohesive Policies and Procedures studied at each individual facility. Most facilities indicated that they are in various stages of developing a set of policies and procedures that are based on the BIA Red Book and that will incorporate the specific needs for the local facility and tribal customs.

Facility operations staff generally treat the Policies and Procedures as something that will be needed to be shown to the 'inspectors' at inspection time rather than a tool that will guide the facility in their day-to-day operations. District Supervisors treat the Policies and Procedures as something that the facility operations are responsible for. They expect that an acknowledgment and sign-off from the facility operations staff is an indication of acceptance, adherence and enforcement of the policies and procedures for the facility—which is not the case.

Except for two facilities, most facilities operate without a structured set of policies and procedures.

4. Staffing—Detention, Kitchen, Housekeeping and Transportation

Appropriate staffing is a continuous challenge for all of the facilities. All facilities are understaffed for the tasks that they are expected to undertake. It is difficult to find sufficiently qualified staff to fill appropriate positions. The placement process is lengthy and often individuals leave even if they are selected in the early phase of the hiring process. Often individuals are placed without an in-depth background check. Quite often these individuals are later disqualified after an appropriate background check is conducted. The noncompetitive salaries, benefits and retirement packages in locations where there are competing state and county detention facilities also play a part in not being able to retain staff that have already been trained and are experienced.

At this time, there are several funded and open positions that are available within the system but have not been filled.

Lack of appropriate staffing has resulted in increased risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

5. Training – Detention, Food Services and Transportation

Newly hired staff awaiting their 12-month probation is often disqualified from entering the training academy in Artesia, for lack of standards and/or space. The staff serving the food services and transportation duties is not adequately trained in food handling and transportation duties.

Once certified, the staff serving the facilities does not continue with their training in an adequate manner after they leave the academy. A lack of sufficient time or insufficient replacement staff was often cited as the reason for not continuing with the training.

Certain alternatives from the training in Artesia are being explored by law enforcement officials within the Native American Country. Certain facilities in the Rocky Mountains now use the state law enforcement training academies in lieu of the training academy in Artesia. Facilities in the Northwest states use cross-training with the state to qualify as cross-commissioned officers. Certain facilities in Arizona are exploring the mobile training-on-wheels method, which will send trainers and their materials to the individual sites rather than having the officers go to a remote training academy.

Lack of appropriate training within the first twelve months and continued training thereafter has resulted in increased risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

6. Physical Space

There is insufficient physical space to house all of the inmates. This is the case even in facilities that are fairly new.

An informal 'system of negotiated releases' has been developed throughout the law enforcement system in the Native American Country. The 'system' provides for the cooperation among the arresting officers, judges and detention officers to release inmates for lack of detention space.

Statistical data regarding the number of inmates incarcerated at a facility that is thus gathered formally by official organizations is very often skewed. The official data for the 'number of inmates' is very often low and has been 'fabricated' to indicate the number of inmates that are deemed appropriate to be housed at a facility, so it would not indicate overcrowding, or overcrowding by a small percentage if it does.

In addition, techniques such as releasing the inmates very early in the morning are also used. These released inmates who have been housed overnight, are not counted on the housing logs – a count that is taken during the day. At other times, consent court decrees are openly violated when the facilities are overwhelmed with an excess number of inmates in spite of the consent decrees for limits on the number of incarcerated individuals that could be housed at the facility.

The inmate population at each of these facilities would be approximately twice the number of formal statistics, for the number of housed inmates, if consideration was given to those who have been released for lack of space. The facilities are also taxed with housing criminals who are called 'misdemeanor – felons'. These individuals are 'felons' but are held as misdemeanors in the detention facilities and are waiting processing through the federal system. Cases referred to the U. S. Attorney are often declined. The U. S. Attorney's office did not provide the number of such 'Declinations' citing 'the matter is sensitive.' These facts were openly discussed and acknowledged by several detention officers at several facilities, in the context of face-to-face openness – and a sincere appeal for help! They would never be written down on any statistical survey, for fear of retribution from the supervisors and senior management. Understaffed and overcrowded facilities are at an increased risk and liability to the organizations that are tasked to own, operate and maintain the justice facilities.

7. Reasons for Detention

Gangs have infiltrated rapidly during the last five years, within almost all communities. Criminal activity related to drugs has increased rapidly. Continued poverty, and the gradual deterioration of the family structure and values have also contributed to the continued high incidence of crime in the Native American communities. Most detainees are incarcerated as a result of violent crimes that have increased in the past few years. As a group, the crime rate per 100,000 inhabitants is very high.

8. Types of Detainees

The detainees at these facilities are expected to be misdemeanors. However, these facilities house misdemeanors and 'misdemeanor-felons', who are individuals who have committed a felony but are awaiting trial and/or incarceration at the federal prison. These facilities also house violent offenders who were referred to the U. S. Attorney but could not be accommodated in their system. They are referred back to the tribes as, 'Declinations'. In addition these facilities also house criminals who have already served at a federal facility and are now completing time at the tribal facility on additional charges. Mixing of the types of detainees increases the risk and liability of the organizations that are tasked to operate and maintain the law enforcement facility.

9. Incarceration – Physical Time

The official maximum stay for those who are incarcerated at these facilities is one year. Most of the inmates are expected to be held for 60 to 90 days but are released within a few days or hours for a lack of bed space. As a result, an informal system of 'negotiated releases' among law enforcement, courts

and detention facilities is prevalent. Often the releases from overcrowded facilities are timed such that the inmates released are not counted in the official counts of 'beds occupied'.

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.

Very often the same individuals 'cycle through' the detention facility several times during the year. There have been cases where individuals were held between seven to eight years, which resulted from a combination of federal and tribal time.

10. Trends – Population and Incarceration

Population trends have a strong correlation with trends in incarceration throughout the Native American Country. Populations have increased 5% to 10% per year. There is a corresponding percentage increase in the number of incarcerated individuals in these communities.

Unemployment Rate from tribal sources was reported¹ at 35.42%. However a member of the tribal council in 2006 reported that the unemployment rate is closer to 70%. When asked for clarification, Veronica Tiller reported that she relies on the local economic development officer for data.

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 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 180,462². 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 population³ 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

¹ Tiller's Guide to Indian Country – 2005 ed., p.348

² Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Table 5: Profile of General Demographic Characteristics. P. 17

³ Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Use of Census 2000 Disclaimer. P. 11

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.”

11. Rehabilitation

In general, the detention facilities do not provide rehabilitation to the inmates. Facilities that are planned will have space that addresses rehabilitation and restorative justice.

12. Programs and Services for Inmates

Generally the detention facilities do not provide any programs and services for the benefit of the inmates. Very often existing facilities are inadequately designed or provide insufficient space to conduct such activities. At other times there is insufficient staff with time or funds to hire ‘Program Staff’ who could be devoted to such activities.

13. **Internal Operations – Operations, Office Equipment, IT Equipment, Communications Equipment, Furniture and Fixtures, Personal Supplies, Uniforms, Blankets and Mattresses**

There was only one facility that had an ‘almost’ sufficient budget for their operations, equipment and supplies to provide a fully functional detention facility. All remaining facilities reported a lack of funds for their operations, equipment, supplies, repairs and maintenance.

Over the expected 40-year life of a facility, it takes roughly six times or more, the initial capital cost of a facility to provide for adequate funding for its operations, equipment, supplies, repairs and maintenance. The Department of Justice estimates that over 30 years, this figure to be ten times the initial capital cost of the facility.⁴ It appears that funding for such continuing costs were not taken into consideration when the facilities were designed, built or contracted out.

A large number of facilities depend routinely on family contributions, charities and business donations to meet their operational needs, equipment and supplies.

At other times detention staff and administrators spend an inordinate amount of time searching and applying for grants to meet their operational needs. Such grants provide a temporary relief for about 24 to 36 months after which the facility continues to seek new sources of grants and donations for their operations, equipment, supplies, repairs and maintenance.

⁴ Planning Correctional Facilities on Tribal Lands: Competitive Grants Announcement. Selection Criteria, Item 3. Capabilities/Competencies: Demonstrate the tribes capability and capacity...Constructing a \$10 million correctional facility may take as much as \$100 million over a 30 year period to sustain facility operations.

www.grants.gov Funding opportunity Number BJA-2007-1652. Current closing date: Sept. 13, 2007.

One facility has set up a commissary system where families provide a running credit account on behalf of an inmate. The inmate is allowed to order through the commissary using these family funds. The inmate account is charged with a profit-markup for each item sold to the inmate. The profits are then used to provide for much-needed funds to procure capital equipment and supplies for the facility.

Often the detention officers provide supplies from their personal funds. The detention officers provide for repairs and maintenance that they are capable of doing. There is insufficient funding for food at certain facilities. The detention officers have at times provided food from their personal funds. At other times the facilities 'trade food', sending food to the facility that has none, since the facilities do not have a line of credit with commercial food suppliers, for they were unable to pay them in a timely manner in the past.

While the facilities have continued to 'operate at risk' the physical buildings have continued to deteriorate as a collective result of deferred repairs and maintenance – often from the time when were built.

Lack of appropriate funding for operations, equipment, supplies, repairs and maintenance of the facilities has resulted in increased security risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

14. Transportation and Transportation Vehicles

Transportation and escort of inmates to and from the courts, healthcare facilities and evacuation in an emergency is an important part in the overall operations of a facility. Increasingly inmates are being transported from holding facilities to other detention facilities under contract, often with worse conditions than the non-existent or primary facility. Juveniles are being transported to appropriate juvenile facilities.

The function of transportation is closely linked to staffing and staff training in transportation, both of which are in short supply at most of the facilities. The physical time that it takes to transport an inmate over long distances is excessive. Detention officers who generally undertake transportation duties are ill-equipped and not trained in transportation.

The transportation vehicles are generally sufficient but ill-equipped and without the secured transportation-barrier enclosure. Normal consumer items and vehicle tools such as 'locking pins, lug nut wrenches, bags with nylon straps, garbage bags and fire extinguishers were found in several transportation vehicles that were accessible to the inmates during transportation. These tools could become a weapon that may be used by an inmate.

Because of a shortage of staff, inmates have been left at healthcare facilities unescorted, with standing instructions to call when they are ready to come back.

15. Central Control Station—Functional Layout and Security

The requirement for separating the detention functionality within a facility from the remainder of law enforcement is fairly recent. Most of the facilities were not built for the Central Control Station to be detached and away from the Central Dispatch for Law Enforcement. These functions were co-located in one room. Often, the Central Control Station for detention and the Central Dispatch for Law Enforcement also served as the ‘front reception desk/counter’ for the general public.

Most facilities have been unable to implement the requirement for appropriately separating the Central Control Station from Central Dispatch. The Central Control Station has now been relocated in other parts of a facility to accommodate such a separation. The Central Control Station has now been located in what used to be a storage space, a booking space, front reception or a laundry. In other facilities, the Central Control Station still occupies a small corner of the Central Dispatch.

Generally the present layout lacks straight line of sight surveillance in addition to the surveillance by the cameras and strategic seating of the officer-in-charge. The monitors for the cameras are very often located where they are out of the peripheral vision of the officer at the center control station. The relocated space is often cramped with additional computer monitors that are used for other operational purposes at the Central Control Station. The spaces where the central control station has been co-located with the booking space serve neither the booking space nor the central control.

Except for one facility, the central control stations at the rest of the facilities lacked integrated electronic surveillance, integrated electronic cell door security and integrated electronic fire and life safety systems supported by appropriate software, training and documentation.

As a result, the early control stations and the relocated central control stations at most of the detention facilities lack a functional layout and integrated security and life safety systems, all of which contribute to additional risks of life safety and security at the facility.

16. Booking and Intake Process

The booking and intake process is inadequate at most facilities. The physical quantity and layout of space are inadequate to conduct an appropriate booking and intake procedure.

Booking is generally conducted in the central control station or in the corridor through a window to the central control station.

The booking officers are unsafe and unaware of communicable diseases that an inmate may be carrying. There is no separation to prevent an inmate from spitting and exposing an officer to communicable diseases.

There is insufficient space, equipment and booking software for the officers to ascertain the history of an inmate who is being booked. There is insufficient space and equipment to control an uncooperative inmate. There is insufficient space and equipment for the inmate to be fingerprinted, checked for alcohol content, dispose of their personal belongings, change clothes, clean up and be escorted to the cell. Generally there are no 'recording cameras' to record the booking process. Inappropriate booking spaces are an increased risk to the officers who are conducting the booking.

17. Laundries

The laundries at most facilities appear to be an afterthought. They are unable to support the needs of the number of inmates who are housed and the number of inmates who transition through the facility on a short-term basis. For short-term inmates, facilities often attempt to not provide a change of street clothes for the inmates to save from having to do the additional laundry and to prevent the wear and tear on the inmate uniform.

Few laundries are appropriately located near an exterior wall with appropriate vents and exhaust for lint. Often the laundries are located in basements, attached garages or detached garages. There is insufficient room to process the dirty and clean laundry. Often residential-sized washers and dryers are used that are incapable of handling the large number of blankets and inmate uniforms that need to be laundered. Some facilities use laundry lines in the recreation yard to dry large articles of laundry since the dryers are incapable of handling such a load. A few laundries were found without sufficient hot water. One laundry was found sharing laundry space with flammable chemical storage in a detached garage.

Inmates reported being handed out dirty blankets – which is a sensitive issue with Native Americans.

Lack of appropriate laundries force the facilities to take undue risks with the life-safety, security and health of inmates.

18. Food Services – Kitchen Operations and Pantry

An on-site kitchen is provided in several facilities while the remaining facilities depend on alternate means to have the meals for the inmates prepared by a local grocery store, a casino, a senior center community

facility or a nearby hotel-restaurant. Generally detention officers, including understaffed facilities, are tasked to pick up the meals from these locations.

Most of the facilities with an on-site kitchen have inadequate physical space and equipment for the number of meals that they serve in an overcrowded facility. Most of the kitchens are operational, though individual kitchen equipment may be 'out of order' and waiting for funds for deferred repairs or maintenance. Most kitchens lack large walk-in refrigerators and freezers for storage of food. These kitchens manage their continued operations with freestanding refrigerators and freezers that are located outside the facility.

Funding for the food is inadequate, leaving inmates with insufficient food and a lack of balanced nutrition.

Food-handlers are often unaware of the breach of security and increased personal risks that results from their carelessness in handling and storage of knives and utensils, which are often stored in unsecured kitchen drawers or unsecured and accessible containers in the pantry.

Kitchens have generally kept up with appropriate permits for continued operations. Most of them are inspected in a routine manner and meet the requirements of the local health authorities.

While the kitchens may meet the health code requirements, they are a high-security risk and prone to potential liabilities to the organizations that are tasked to own, operate and maintain them.

19. Healthcare

Generally no healthcare is provided at the facilities other than the rendering of the Basic First Aid. The facilities depend on healthcare assistance from the local Indian Health Services (IHS), which generally requires escorting of the inmates to and from the IHS facilities. On occasion the law enforcement escort leaves the inmate unattended at the healthcare facility to respond to another call. At other times, the escort attends to other pressing demands and waits for a call back from the healthcare facility for the inmate to be picked up.

Inmates are not tested for TB, HIV or hepatitis. Officers and often inmates are unaware of the risks that they subject each other to, to the inmates in the facility and to the community. There are no physical areas at any of the facilities to isolate inmates who are carriers of communicable diseases so they could be isolated from the general population until it is determined that they need to be sent for treatment or incarcerated in a separate facility.

Detention officers serve as temporary healthcare specialists and provide medications to the inmates. They often consult with the local healthcare provider to adjust medications for the inmates.

A few facilities have been able to arrange for routine healthcare visits by a healthcare provider; however, these facilities have reported that the healthcare providers are reluctant to continue with such services for lack of their internal funding.

Health of the officers and inmates and the Community Public Health is at high risk because of such exposure to communicable diseases and an indifference and/or inability to provide appropriate screening and healthcare at these facilities.

20. Exercise/Recreation areas – Outdoor Time

Only about 10% of the facilities provide for appropriate outdoor time to the inmates every day. The remaining facilities do not provide any outdoor time for as long as six months. The norm is about one hour of outdoor time for every two weeks of incarceration. These areas have been abandoned in many of the facilities and are no longer in use or are used as ‘storage areas’ for ‘evidence’ or trash. Most facilities lack an appropriate exercise/recreation area that is both safe and secure.

Facilities cited a lack of staff to supervise the inmates during outdoor activities. They also indicated not having a need to provide such outdoor time to the inmates when the facilities are being used as a 48-hour holding facility. However, an inmate at the very same facility indicated that the facility is in violation of the Consent Decree for he has been held there for more than 48 hours without having a chance to go to court.

Inmates are reluctant to request outdoor time for fear of reprimand from their detention officers. One inmate indicated that he requested outdoor time and the Officer responded, “... will give you one hour—then I will have to lock you down for the other 23...” Such threats to inmates — in very ‘stuffy’ cells, with solid cell doors — could be a violation of the inmates’ civil rights.

Most of the cells in these facilities are located away from the exterior walls and/or deep within the interior of a building such that there are no windows in the cells that allow for a daylight reference in the cell.

The outer perimeter security fence for such exercise/recreational areas are accessible to the general public at about 95% of the facilities. This creates an opportunity for the passing of contraband materials to the inmates while they are in the exercise/recreational area.

The exercise/recreation areas are often planned as a staging area in case of evacuation of the inmates during an emergency. However, often these spaces are immediately adjacent to the facility and do not provide sufficient physical separation from the facility or the physical space to accommodate

all of the inmates, should there be a need for evacuation during an emergency.

There may be serious consequences regarding life and safety and civil rights of inmates that could be detrimental to the organizations that are tasked to own, operate and maintain these facilities.

21. Repairs and Maintenance

Depending on the jurisdiction or the PL 638 contract, repairs and maintenance for the facilities are conducted either by the BIA or by the tribes. All of the facilities have suffered as a result of lack of timely repairs and maintenance.

Facilities have cited insufficient funding for appropriate repairs and maintenance. Often repair crews are laid-off during the last three months of the fiscal year for lack of funding to support their positions.

Facilities have fallen victim to an early deterioration as a result of long-standing and continuous deferred repairs and maintenance.

Except for one facility, the remaining facilities do not have an organized plan, policies and procedures for routine repairs and maintenance, emergency testing and a timely follow up.

Lack of well-kept facilities have resulted in not having drinking water for the inmates in the cells, toilet leaks in the inmate cells, excrement in the detoxification cells, breach of security by keeping perimeter doors open for ventilation, skewed support door jambs, excessive sand in the locking mechanism of exterior doors and the failure of backup electrical systems to open the cell doors during an emergency evacuation.

Lack of appropriate and timely repairs and maintenance, have contributed to the very high risks for life-safety and security of the inmates and officers at these facilities.

22. Building Site—Location, Condition and Security

For many of the facilities, the physical location of the facility is poor as the town and businesses have grown up around it since the time that they were built. This may be acceptable in some cases, for example, in a highly secured facility designed for such use. This is not so for minimum and medium security facilities such as these.

Many of the facilities have exterior perimeter fences with fence gates that are constantly left open, to facilitate other law enforcement functions that are also conducted in the same facility. The exterior, perimeter, fixed- and low-resolution cameras, if any, are incapable of surveilling for information to make appropriate security-threat decisions by the detention officers.

Easy access by the general public to these facilities contribute to unnecessary direct risks to the detention officers on duty (who often serve as receptionists), increased risks of one-step-escapes and undue risk exposure to the passing of contraband material to the inmates.

23. Sally Ports

Only one facility was found with a functional and a working Sally port. Most of the remaining facilities do not have an appropriate Sally port. Those that do have a Sally port may have one with nonworking sensors and keypad mechanisms, nonfunctional rollup doors, pedestrian doors without locks or dysfunctional traffic patterns such that the Sally port does not serve the intent and purpose for which it was created. Often the very same facilities have breaches in the perimeter fence security and are also located in and around areas with access to the general public.

24. Emergency Evacuation

All of the facilities have an egress plan posted on the walls. However, 90% of these facilities do not have a plan for the safe and secure staging area for the inmates, at a sufficient distance from that facility. Only three facilities were found that had an appropriate safe and secure staging area for evacuated inmates, at an appropriate distance from the facility. In case of an emergency, most facilities cannot alert in one minute and evacuate the facility in three minutes as a result of poor linear design, nonworking cell door mechanisms and backup systems and overcrowding. Even if the facilities could evacuate all of the inmates, most facilities do not have sufficient transportation vehicles or the ability to transport the entire inmate population to another facility. One facility noted, in all seriousness, that in a case like this they would simply release all of their inmates with instructions to the inmates to return the next day. Such unpreparedness contributes to a very high risk of life-safety and security for the inmate population.

25. Cells—Holding Cells, Segregation Cells, Detoxification Cells and Dormitories

Most facilities lack appropriate cells and furnishings. The cells are generally small for the number of inmates that are held in them. Most cells do not have appropriate air circulation, cooling or heating, reference windows for daylight or operational lavatory/sink combination units. The cells do not have night-lights. The cells do not have appropriate fire suppression or smoke detection. The detoxification cells generally have hard surfaces and lack functional floor drains. Electrical cell door operational mechanisms are unreliable and often the mechanical overrides do not operate.

26. Fire Suppression Systems – Fire Alarm, Fire Extinguishers and Fire Sprinklers

Most facilities have fire extinguishers located at appropriate locations; however, most facilities do not have appropriate fire detection or suppression systems. Several facilities have retrofitted surface-mounted fire sprinkler systems which in and of themselves have become a threat to potential self-inflicted harm by the inmates.

27. Cell Door Locking Mechanisms

The keyed locks on cell doors are a serious concern. Often the locks have not been lubricated and the keys are worn out. Electrically operated doors with mechanical overrides are unreliable. Repair parts for the original Folger-Adams cell doors are difficult to find and procure. Inmates are aware of such malfunctioning cell door locks. At two different facilities inmates explained how to defeat a locked cell door.

In an emergency at most facilities, the inmates cannot be safely evacuated within three minutes.

28. Emergency Backup System

Most facilities do not have an emergency backup generator. For the few facilities that do have a backup generator, they lack routine weekly tests or a full-load test on a monthly basis.

In an emergency, generators have often failed to start. Few facilities have emergency backup egress lighting but it is not known if they are tested regularly or if the batteries are replaced regularly. Facilities have often resorted to flashlights and Coleman lanterns in the event of a power failure.

A lack of such emergency backup systems has increased the life-safety and security risks at the facilities.

29. Provisions for the Disabled

Less than 20% of the facilities have provided exterior ramps. However, most facilities do not have provisions for access by disabled staff, inmates or visitors.

30. Interior Systems—HVAC, Plumbing, Power, Lighting, Communications, Flooring, Ceiling, Roof and Structure

The interior systems for facilities such as the HVAC, plumbing, power, lighting, communications, flooring, ceiling, roofing and structure are in serious disrepair.

These systems have been 'band-aided' over the years. Lack of appropriate sanitation as a result of failed plumbing systems has created health hazards.

The foundations for several structures are settling at a rate of about one-half inch to one inch per year.

None of the facilities have any provisions for 'Blast Protection' around the perimeter walls and windows.

31. Hazardous Materials – Molds, Asbestos and Lead Paint

Facilities built after 1978 generally do not have asbestos or lead paint. However, for a lack of appropriate records, it is unknown if asbestos and lead paint have been abated from the facilities. Growth of mold was found in two facilities.

32. Potential Suicide Elements

While most of the facilities are aware of the potential of inmates to commit suicide, they are unaware of the potential sources in their facilities that may be used by the inmates to cause personal harm and commit suicide.

Combined with their articles of clothing, items such as the following develop into potential sources to cause harm and commit suicide:

Corners on free standing bunk beds, 1" diameter 'drain holes' in the sleeping bunk steel plate, vent screens in cells at a reachable height, surface-mounted sprinkler pipes in physical spaces available to inmates, old-style jail door bars with horizontal cross plates, strings used as shower curtain rods, clothes drying lines, electrical cords for circulation fans, radios and TV sets, chemicals used for cleaning supplies, unaccounted-for plastic utensils, water bottles and Styrofoam cups, kitchen utensils and knives and accessible tools in transportation vehicles.

The detention staff expressed concern but also indicated that there is not sufficient staff to maintain suicide watch that requires a five-minute rotation-observation for an individual.

33. Interior Security – Staff and Inmates

The security within the facility for the staff and inmates is poor.

Generally there are many blind spots that cannot be monitored with cameras because of the linear design of most facilities. Most facilities are equipped with poor-resolution, fixed cameras and/or nonworking or poor-resolution camera monitors.

The central control stations are poorly designed, often with makeshift arrangements to comply with the new requirements, in what used to be spaces other than central control stations. There is insufficient space for booking or appropriate booking software to log in and track the history of an inmate. Unsecured kitchen utensils and knives could be used by the inmates to cause harm to themselves and others.

There are insufficient numbers of detention officers on duty for the number of inmates at any given time.

34. Effectiveness of Current Floor plans – Control Station, Sally Port, Intake and Booking, Visitation, Kitchen, Dayroom and Dining, Recreation Yard and Cells

Most of the detention facilities were designed and built with a set of program parameters that have since been superseded.

Often, the facilities in the past were built as a single law enforcement building that housed the police, dispatch, investigations, detention and the courts. Over time this concept of having all of these functions in one building was phased out. Later, the concept of having juveniles and adults in the same building was phased out. Yet later, this concept was modified further, to having the detention function separated from that of the dispatch and police functions. During all this time the detention part of the function often stayed in the same building, modified and rearranged to the detriment of the appropriate functioning of the detention facility.

At other times there were buildings that were built as a 'rehabilitation center' which were converted to function as a detention facility and which have continued to function as a dysfunctional detention facility.

The present-day facilities do not serve the needs or the present-day missions for these facilities. These facilities do not provide the necessary functionality of the layout of the inmate cells such as providing reference daylight in the cells, appropriate day rooms for the inmates, appropriate exercise/recreation areas with appropriate outdoor time for the inmates, appropriate kitchens to serve adequate food to the inmates, appropriate awareness and provision of healthcare to the inmates, appropriate central control stations and booking stations for the interior and exterior security of the inmates and officers, appropriate visitation spaces, appropriate provisions for the disabled inmates, staff and visitors and appropriate rehabilitation programs and services for the benefit of inmates.

It is impractical at best and highly risky at worst for the life-safety and security of the officers and inmates, to continue operations with the present program parameters in facilities that do not facilitate for such new missions and program parameters.

A pictorial with pictures of critical concerns is provided in Appendix E. A numerical assessment and phased decommissioning matrix is provided in Appendix F. These are followed in later Appendices G, H and I with a structured program of capital improvements to transition into planned replacement facilities over a ten-year program period.

Appendix E
Critical Concerns – Pictorials

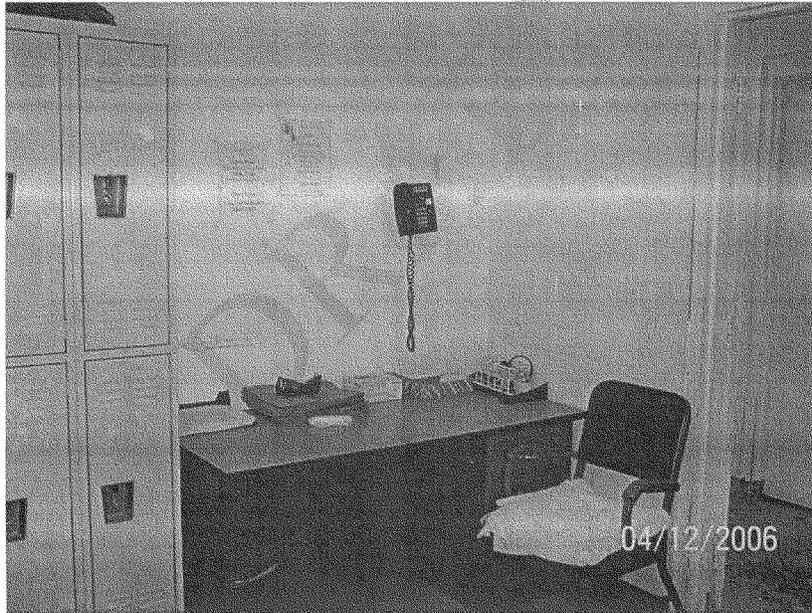
This Appendix E is a continuation of Appendix D which narrated the findings in 34 key categories. This Appendix is a pictorial. The Critical Concerns regarding existing Facilities and Operations; that are tangible and could be photographed, are categorized as the following thumbnail collections:

- 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

1 - Booking and Intake Challenges

Safety and security of an officer is compromised as a result of dysfunctional and makeshift booking stations and intake space

DRAFT



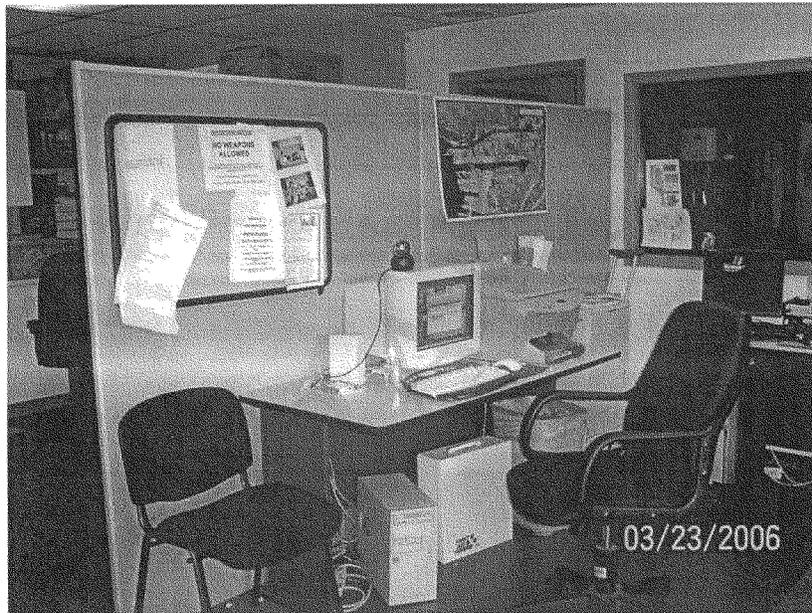
Booking Station consists of a desk and chair in the staff locker room

Booking – Intake Challenges

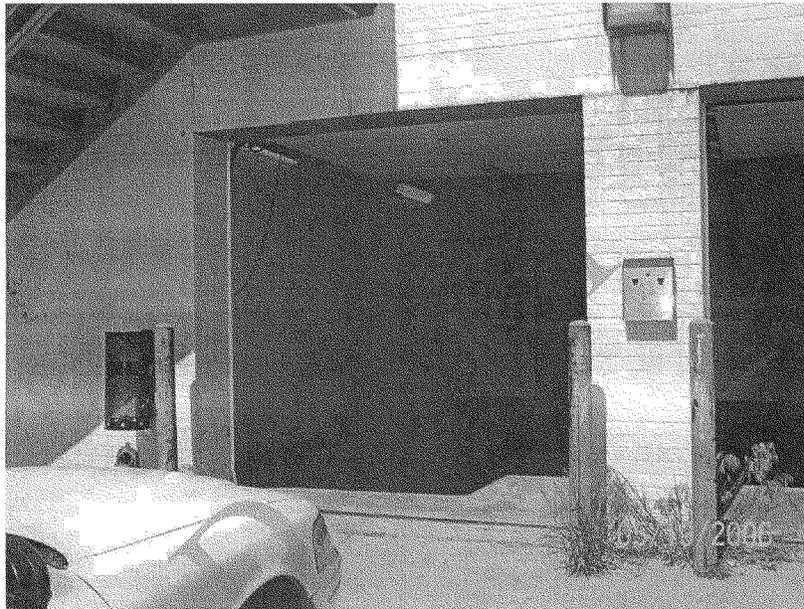


Inmate is seated on the chair across with opportunity to create a potential safety and security challenges for the booking officer

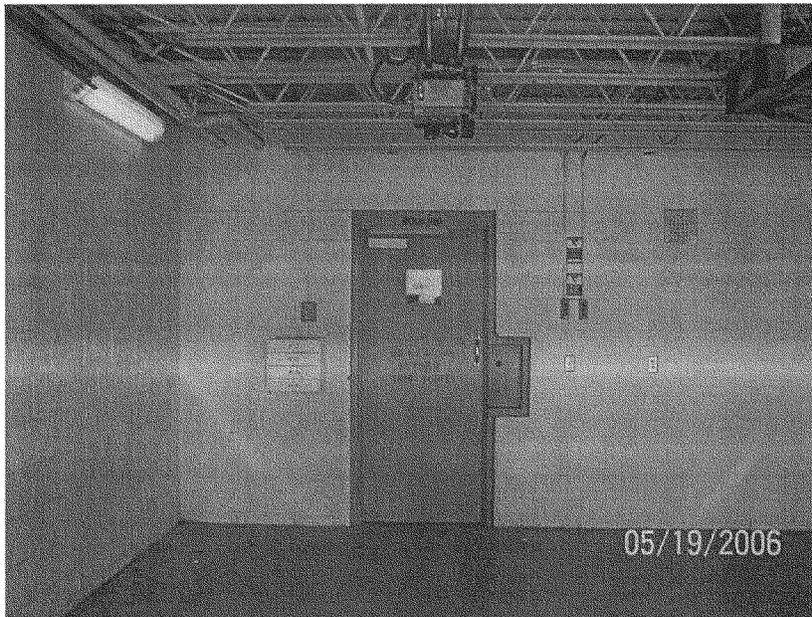
Booking – Intake Challenges



Booking Station -- Note the potential weapons that may be used by an inmate



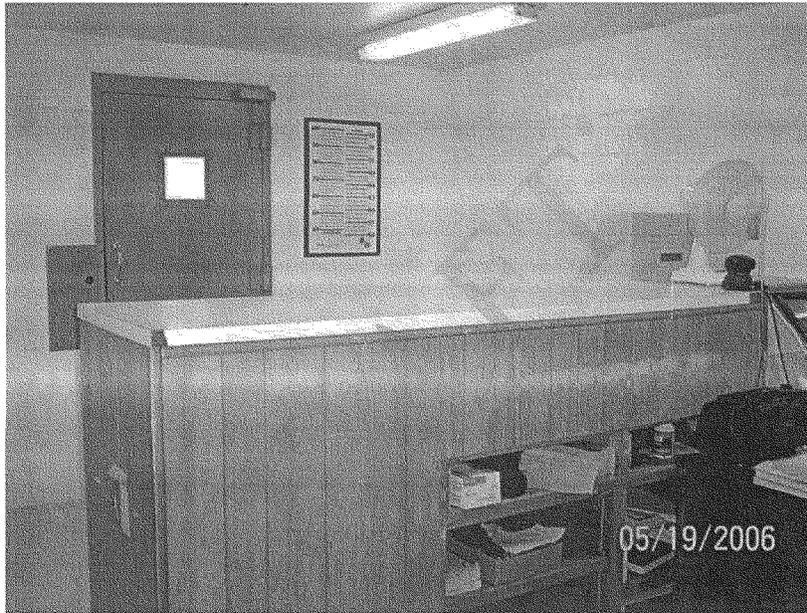
Garage serving as a Sally port – Open garage doors are an invitation for escape during transition to booking



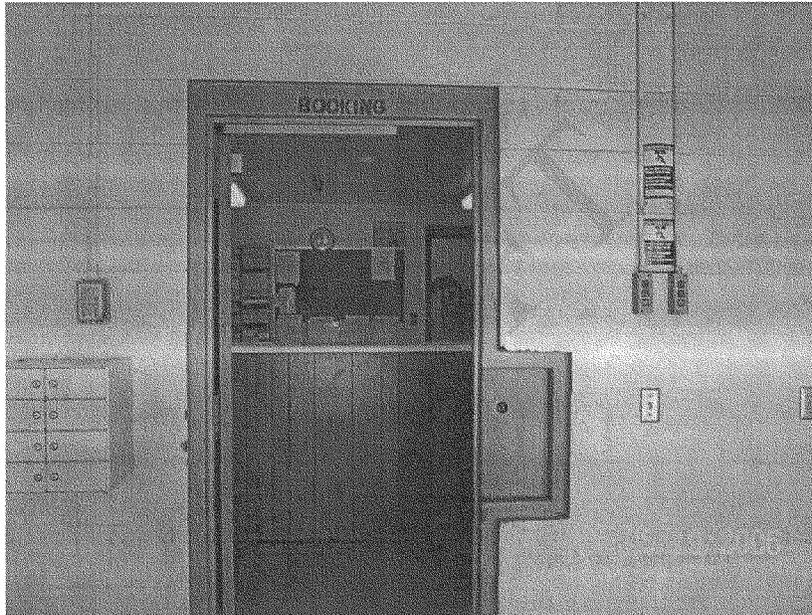
Door leading to the booking station



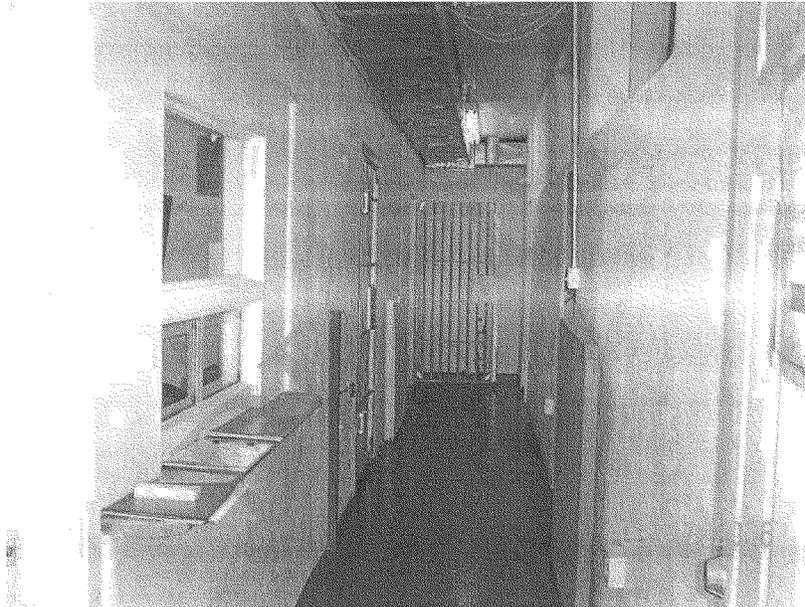
Reception Center/Booking Station with door to the garage exterior



Unsecured and unsafe Booking Station Countertop



Entry from exterior to the unsecured booking station



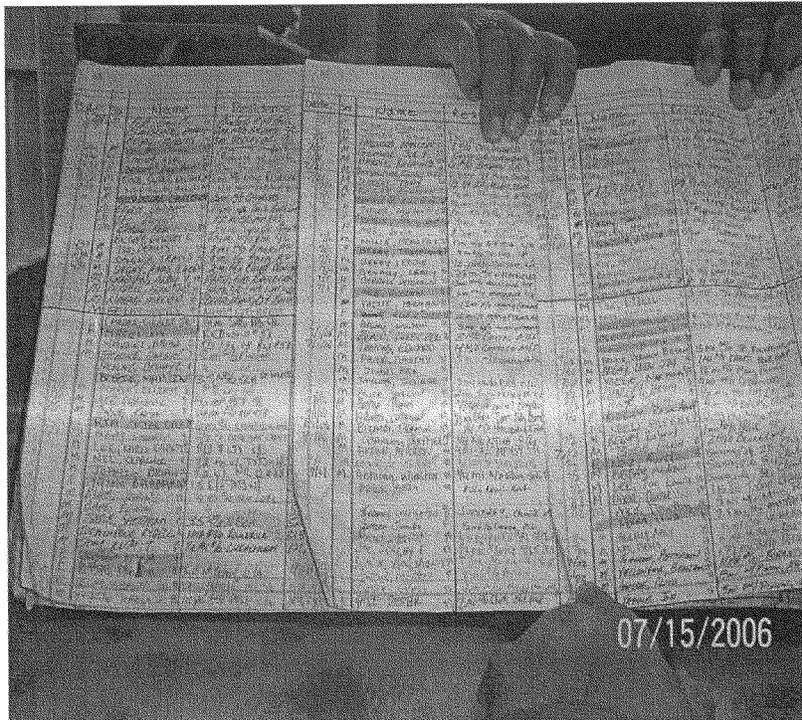
Booking Station in the corridor

2 - Cages and Housing

The safety and security of the community in addition to the safety and security of the inmates and officers is being compromised.

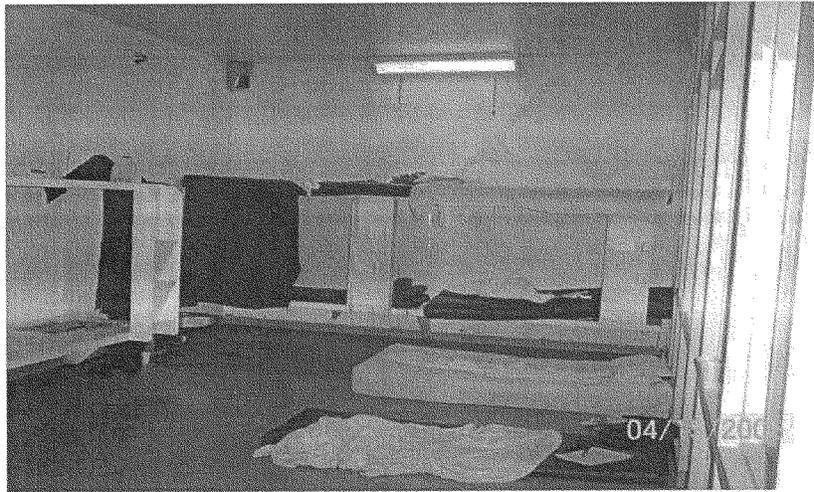
Far more calls for service are received than those that are arrested. Far more are arrested than those that are booked. Far more are booked than the space available to house them or food available to feed them. A very large percentage is simply let-go under a variety of arrangements and unwritten understandings.

Cages and Housing

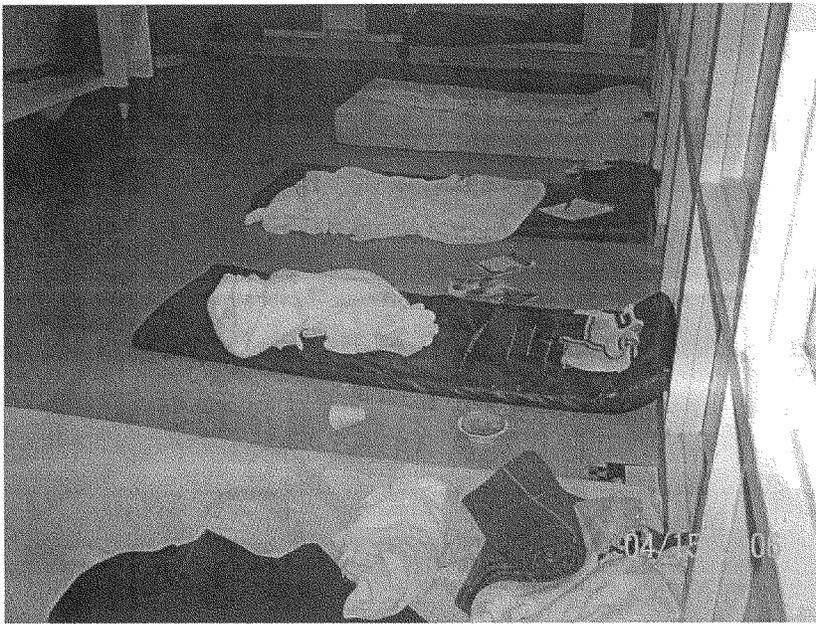


The image shows a person's hands holding a large, multi-column booking log. The log is filled with handwritten entries, including names, dates, and numbers. A date stamp '07/15/2006' is visible in the bottom right corner of the log.

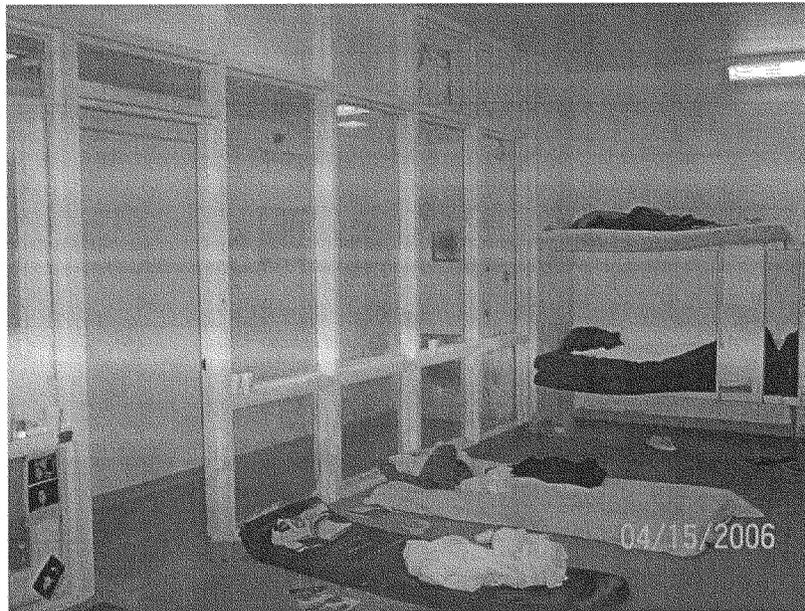
Booking Log – The numbers being booked far exceed the bed space. The excess are released to make room for the new arrivals. Others are ‘stuffed’ on the floor, in the corridors, special cages or any other available space.



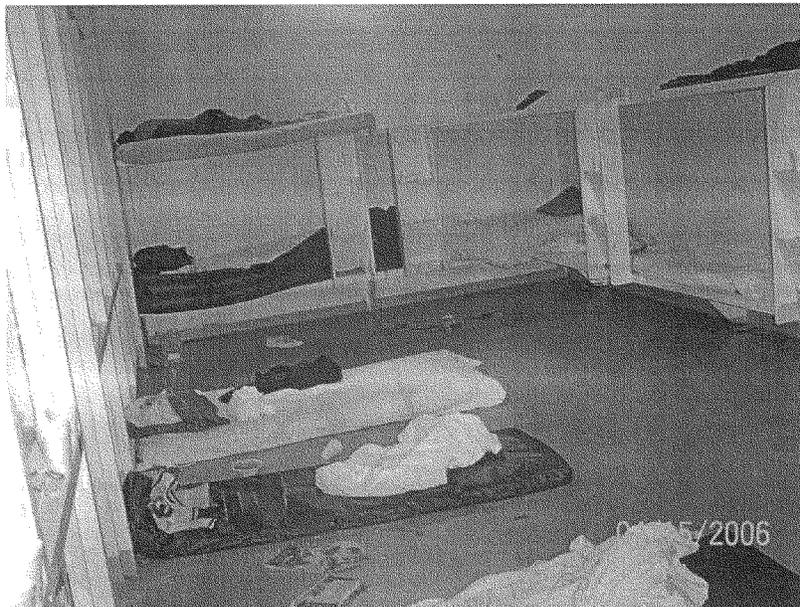
Accommodations



Dining and lodging



Plexiglas partitions and Styrofoam cups – Potential weapons



Accommodations



Accommodations



Women's Dormitory. Sleeping quarters by the toilet, and drinking water in plastic containers.



Dormitory Accommodations on cold concrete floors

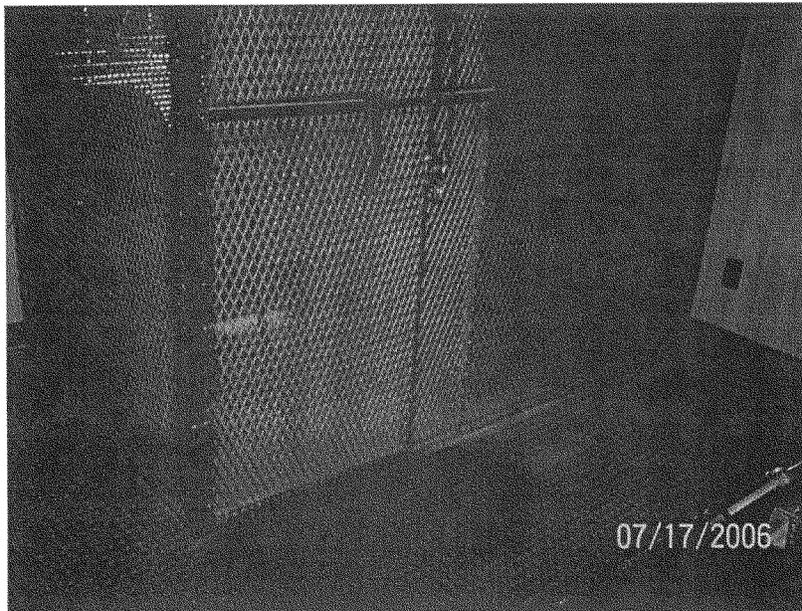


Dormitory Accommodations

Cages and Housing



Cage accommodations



Accommodations for two. Two office chairs in a cage.