AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. Hrg. 110–432

DISCUSSION DRAFT LEGISLATION TO ADDRESS LAW AND ORDER IN INDIAN COUNTRY

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

JUNE 19, 2008

Printed for the use of the Committee on Indian Affairs

DISCUSSION DRAFT LEGISLATION TO ADDRESS LAW AND ORDER IN INDIAN COUNTRY

S. HRG. 110–432

DISCUSSION DRAFT LEGISLATION TO ADDRESS LAW AND ORDER IN INDIAN COUNTRY

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

JUNE 19, 2008

Printed for the use of the Committee on Indian Affairs

U.S. GOVERNMENT PRINTING OFFICE

43–268 PDF WASHINGTON : 2008

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON INDIAN AFFAIRS

BYRON L. DORGAN, North Dakota, *Chairman*
LISA MURKOWSKI, Alaska, *Vice Chairman*

DANIEL K. INOUYE, Hawaii
KENT CONRAD, North Dakota
DANIEL K. AKAKA, Hawaii
TIM JOHNSON, South Dakota
MARIA CANTWELL, Washington
CLAIRE MCCASKILL, Missouri
JON TESTER, Montana

JOHN MCCAIN, Arizona
TOM COBURN, M.D., Oklahoma
JOHN BARRASSO, Wyoming
PETE V. DOMENICI, New Mexico
GORDON H. SMITH, Oregon
RICHARD BURR, North Carolina

ALLISON C. BINNEY, *Majority Staff Director and Chief Counsel*
DAVID A. MULLON JR., *Minority Staff Director and Chief Counsel*

CONTENTS

	Page
Hearing held on June 19, 2008	1
Statement of Senator Akaka	4
Statement of Senator Barrasso	3
Statement of Senator Burr	7
Statement of Senator Cantwell	5
Statement of Senator Dorgan	1
Statement of Senator Johnson	7
Prepared statement	7
Statement of Senator Murkowski	6
Statement of Senator Tester	4
Statement of Senator Thune	8

WITNESSES

Garcia, Hon. Joe A., President, National Congress of American Indians	17
Prepared statement	19
His Horse Is Thunder, Hon. Ron, Chairman, Standing Rock Sioux Tribe	11
Prepared statement	13
Lamar, Walter E., President/CEO, Lamar Associates	37
Prepared statement	39
Ragsdale, W. Patrick, Director, Office of Justice Services, U.S. Department of the Interior	42
Prepared statement	44
Stoner, Kelly Gaines, Director, Native American Legal Resource Center and Clinical Programs, Oklahoma City University School of Law	32
Prepared statement	34
Shappert, Hon. Gretchen C. F., U.S. Attorney, Western District of North Carolina, U.S. Department of Justice	26
Prepared statement	28

APPENDIX

Coochise, Hon. Elbridge, Independent Court Review Team, prepared statement	64
Discussion draft of proposed legislation with cover letter	81
Draft Final Report—Master Plan for Justice Services in Indian Country Year 2007 to 2017 with cover letter	114
Jourdain, Jr., Hon. Floyd, Chairman, Red Lake Band of Chippewa Indians, prepared statement	63
Richardson Sr., James S., President, Federal Bar Association, prepared statement	67
Response to written questions submitted to Hon. Joe A. Garcia by:	
Hon. Byron L. Dorgan	78
Hon. Lisa Murkowski	79
Written questions submitted by Hon. Pete V. Domenici to W. Patrick Ragsdale	77
Written questions submitted by Hon. Byron L. Dorgan to:	
Hon. Ron His Horse Is Thunder	73
Walter E. Lamar	74
W. Patrick Ragsdale	76
Hon. Gretchen C. F. Shappert	75
Kelly Gaines Stoner	74
Written questions submitted by Hon. Lisa Murkowski to:	
Hon. Ron His Horse Is Thunder	73
Walter E. Lamar	74

Page

Written questions submitted by Hon. Lisa Murkowski to—Continued
W. Patrick Ragsdale 76
Hon. Gretchen C. F. Shappert 75
Kelly Gaines Stoner 74
Written Questions Submitted by Hon. John Thune to W. Patrick Ragsdale 77

DISCUSSION DRAFT LEGISLATION TO ADDRESS LAW AND ORDER IN INDIAN COUNTRY

Thursday, June 19, 2008

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 9:30 a.m. in room 562, Dirksen Senate Office Building, Hon. Byron L. Dorgan, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. BYRON L. DORGAN, U.S. SENATOR FROM NORTH DAKOTA

The CHAIRMAN. Today the Committee is going to be holding a hearing to examine a draft bill to address law and order in Indian Country. Let me emphasize again this is draft legislation. I have put out draft legislation with co-sponsors, because I think it is important for us to be able to review something, evaluate and then respond to something that has some certainty to it with respect to the provisions we have written.

I understand there is controversy with many portions of legislation dealing with law enforcement on Indian reservations. We are willing to consider adjustments and changes.

But I do want to say this: I don't think it is an appropriate response for the Congress to do nothing about a very serious problem. As you know, this Committee this year has passed out an Indian Health Care Improvement Act. That has now passed the full Senate. We have passed out a piece of legislation dealing with Indian housing, reauthorization of the Indian housing laws. That has now not only passed out of this Committee but through the full Senate as well.

Another area where I believe there is a crisis is in the area of law enforcement. Four prior Committee hearings that we have held have established longstanding and life-threatening public safety crises that exist on some Indian reservations. Just a few of the findings include sexual and domestic violence have reached epidemic proportions; victims have to wait in many cases hours and weeks for a response to law enforcement calls, because tribal police are understaffed; the tribal jails system is a disaster; tribal courts are, in some cases, forced to set offenders who are clearly guilty free. The lack of consequences has created some notion of lawlessness in many communities.

There is enough blame to go around, but the United States Government, in my judgment, must take credit for much of this problem. Federal laws and court decisions established a system of justice that forces tribes to rely on the United States to investigate and prosecute violent reservation crimes.

We took a two step approach. First, the U.S. limited what tribes can do to fight crime in their own communities. So tribal police have limited access to information and limited arrest powers. Tribal courts can sentence offenders to no more than one year in jail. So today we have tribal courts who sentence rapists and child molesters to one year in jail. That is not justice.

Second, the United States said, we will do the job. More than 100 years ago, Congress established felony jurisdiction in the Department of Justice for crimes on reservations. With this authority, however, comes legal and binding obligations, in my judgment, to provide for public safety on reservation lands. Regrettably, I don't believe our Federal Government has met that obligation.

The United States has conflicting law enforcement priorities to fight terrorism, protect the homeland and secure the border. Fighting crime in Indian Country does not top the priority list or even show up on the priority list in most cases.

A November 2007 investigation of crime on Indian reservations was published in the Denver Post. It quoted a U.S. attorney who said the following: "I know that the performance of my office will be compared to other U.S. attorneys around the Country. My gun cases have to compete with other U.S. attorneys. My white collar crime cases have to compete. One criterion that is never on that list is Indian Country cases." That is from a U.S. attorney.

Now, there is some excellent work being done by some at the Justice Department. I don't want to take away from that work. I am not suggesting there isn't anybody out there who cares. I also understand that the Department of Justice has strong feelings about some of the provisions in the draft legislation that we are holding a hearing on today.

But I am not confident that our legal obligations to tribal communities are being met. In fact, I am confident of exactly the opposite conclusion: we are not meeting our obligations. This draft bill would ensure that Indian Country gets moved up on the priority list for this Country. When a community relies completely on a Federal agency to investigate and prosecute violent crimes and felonies, that reliance cannot go unheeded.

For the past year, this Committee has worked on this issue and in November, I released a concept paper. I asked staff, both Republican and Democratic staff on our Committee, to work together, to consult with tribes and other interested parties. One example of that was Senator Kyl and I held a hearing in Arizona. The staff director on the minority side and the majority side joined me. That was simply an example of the kinds of hearings and listening sessions we have held around the Country, bipartisan, cooperative, trying to figure out how can we work together to solve this problem.

The draft bill, which is a product of these consultations and is a bipartisan bill, contains these initial steps. It would put tools to fight crime in the hands of tribal justice officials, tools they don't

now have. It would enhance coordination and consultation between Federal and tribal justice officials. And it would provide greater cooperation as well at the local level, between tribes and local communities, which I think is essential.

The bottom line is, we have to act to change this system to make it work for the citizens of Indian Country instead of providing opportunities for criminals and drug cartels to find ways of avoiding prosecution.

So I look forward to the testimony today that we will have from a number of witnesses about the draft legislation. I appreciate the bipartisan support from my colleagues, who have co-sponsored this legislation. And again, while we are waiting for the Vice Chair, I want to recognize others for any opening comments.

STATEMENT OF HON. JOHN BARRASSO,
U.S. SENATOR FROM WYOMING

Senator BARRASSO. Thank you very much, Mr. Chairman. I appreciate what you are doing with this hearing today. I think it is very timely that we discuss law enforcement in this Committee.

In Wyoming, we are dealing with a recent tragedy on the Wind River Reservation, three young teenage girls were found dead on Wednesday, June 4th, just earlier this month. Their deaths shine light on the troubled situation for Indian youth in Wyoming. This is a tragedy for the Northern Arapaho Tribe, the Wind River community, and for the entire State of Wyoming. It brings into focus the desperate need to fight the root causes of law-breaking on Indian reservations. Crime is a cycle that can only be broken with consistent effort among our young people on the reservation.

Mr. Chairman, Federal law enforcement is not meeting the need on the Wind River Reservation currently. This reservation covers 2.2 million acres. Well, that is larger than either the entire State of Delaware or of Rhode Island. Yet BIA law enforcement struggles to keep more than two or three officers on patrol at any given time. So if you can imagine the State of Rhode Island or the State of Delaware with only two officers on patrol at any given time, absolutely insufficient.

I commend the hard work that the officers who are on patrol are doing. But the desperately need more help. There is a problem with recruitment, a problem with retention. In addition, we need better community outreach and youth programs. The officers on the reservation have to tangle with drugs, with illegal weapons and gangs on the reservation every day.

I would just like to reflect, Mr. Chairman, I have practiced medicine for 25 years as an orthopedic surgeon in central Wyoming. Early in the practice, I was called to take care of a young man from the reservation who was sent to the hospital in Casper. I was taking care of him for a broken bone, but it was a result of trauma by some other young men from the reservation on him.

The thing I will never forget is the smell in the room, because one of those criminals taking advantage of this young man chose to, with a cigarette, burn his initials into the abdomen of the other man. It kind of made a number of dots connecting together to make up the letters of his initials, of the criminal, of the person who was doing this. It was his initials, not the ones of the injured man.

It is a smell that will stay with me forever, the smell of burned flesh, one person doing this to another, which really to me highlighted and has continued to highlight the major issues that you are trying to deal with her. I commend you for your efforts and I want to help in every way that I can and work with you, Mr. Chairman. So thank you very much.

The CHAIRMAN. Senator Barrasso, thank you very much.

Let me call on Senator Tester.

STATEMENT OF HON. JON TESTER,
U.S. SENATOR FROM MONTANA

Senator TESTER. Thank you, Mr. Chairman. I too want to echo the comments of Senator Barrasso in thanking you for bringing forward this draft legislation. I do think it is very timely. To be honest with you, it should probably have been addressed a while back. The Department of Justice, I don't think, has done what is necessary.

This isn't the time to point fingers, it is the time to talk about proper staffing, proper infrastructure, proper jurisdiction. And it is a time to work together with the Department of Justice. Hopefully they understand there is a problem here, and hopefully through bills like this one, if we can get it through the process, we can solve the problems that revolve around crime in Indian Country. Because quite honestly, at this point in time, it is a tragedy.

There's barely a week that goes by that there is not a problem. I think a lot of it has to do with staffing and consequences, once a person is picked up, how they are handled and the ability of the courts to handle people and have a place to put them once they are found guilty.

So thank you, Mr. Chairman. I appreciate it.

STATEMENT OF HON. DANIEL K. AKAKA,
U.S. SENATOR FROM HAWAII

The CHAIRMAN. Senator Akaka?

Senator AKAKA. Thank you very much, Mr. Chairman. I want to add my welcome to the tribal leaders as well as the national Indian Country leaders who are here in the room today, and to urge you, as the Chairman has, to continue to be part of the effort to help Indian Country.

One that is pending, and we urge you to also lobby on the other side of the Hill on the Indian Health bill. We really need to pass that. Now here, again, I want to commend the leadership of our Chairman Dorgan for what he has done in drafting this Indian Country bill on law and order, which is really needed. So the Committee intends to hear as much as we can from you and to finally make a decision.

Again, I want to urge this Committee and the leadership of our Chairman to move this as quickly as we can. Thank you very much, Mr. Chairman.

The CHAIRMAN. Senator Akaka, thank you very much.

Senator Cantwell?

STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Mr. Chairman, and thank you for having this hearing today on draft legislation on law enforcement in Indian Country, and also for scheduling an executive session on several pieces of legislation.

While we are still waiting for the Vice Chairman, if I could, I would like to address one of those pieces of legislation on the executive session, and that is Senate Bill 2494. I thank you for putting that consideration of the Spokane Tribe of Indians, the Spokane Reservation Grand Coulee Dam Equitable Compensation Act on the executive session schedule. For more than half a century, the Columbia Basin Project has had an extraordinary contribution to our Nation.

It really has helped pull the economy of Washington State and the Country out of our Great Depression. It provided electricity that provided aluminum for airplanes, for weapons of our national security. The project continues to provide enormous revenues for the United States. It was a key component of agriculture in our eastern Washington economy, and provides electricity to towns and cities all across the Northwest.

However, these benefits did come at a direct cost to tribal property that became inundated when the U.S. Government built the Grand Coulee Dam. Before dam construction, the free-flowing Columbia River supported very robust and plentiful salmon runs and provided virtually all the subsistence needs of the Spokane Tribe. After the construction, the Columbia and the Spokane River tributaries flooded the tribal communities, schools and roads. To this day, the effects of the flooding are still being felt by the Spokane Tribe.

This legislation we are considering today is similar to legislation we have approved from this Committee in the 108th and 109th Congress. Similar legislation has passed both the House and the Senate at various points in time. Some changes have been made to satisfy stakeholders who have expressed concerns. But the Spokane Tribe has spent the last year making sure that we could move forward on the settlement agreement. I want to thank the Chair and the Tribe for working so closely on this.

The United States does have a trust responsibility to maintain and protect the integrity of all tribal lands within its borders. When Federal actions physically and economically impact or harm tribes, our Nation has a legal and moral responsibility to address the compensation and damages. Unfortunately, despite these countless efforts, half a century has passed without giving the Spokane the real justice they deserve.

So I thank you for putting this legislation on executive session so we can move forward on this important piece of compensation. I thank the Chair.

The CHAIRMAN. Senator Cantwell, thank you very much.

I would say to Senator Thune and Senator Johnson, I am going to withhold further statements. We were making statements on the purpose of the hearing today, but I want to now turn to the business portion of the day and conduct the business portion, then we will return to the hearing.

[Whereupon, the Committee returned to the business meeting.]

The CHAIRMAN. Let me continue by calling on the other members of the Committee, let me clarify again to say that the Bureau of Indian Affairs report will be placed in the hearing record, not a part of the business meeting. It was my intention that it be part of the hearing record on law enforcement, and the entire report will be a part of that hearing record as of today.*

The CHAIRMAN. Let me call on the Vice Chair for an opening statement on the law enforcement portion of this hearing today. Then I am going to call on Senator Johnson, if he has an opening statement. I believe the first witness today will be Senator Thune.

If Senator Murkowski will withhold for just a moment, let me ask the panel to come forward and take seats while we are preparing to complete our opening statements. Chairman Ron His Horse Is Thunder, Standing Rock Sioux Tribe; Joe Garcia, President, National Congress of American Indians; the Honorable Gretchen Shappert, U.S. Attorney, Western District of North Carolina; Patrick Ragsdale, Director of the Office of Justice Services, U.S. Department of the Interior; Professor Kelly Stoner, Director of Native American Legal Resource Center and Clinical Programs, Oklahoma City University School of Law; and Walt Lamar, President and CEO of Lamar Associates, Washington, D.C.

Let me thank all of the witnesses. When we complete our statements, we will then proceed.

Senator Murkowski, thank you. I am sorry for the delay.

STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

Senator MURKOWSKI. Thank you. Mr. Chairman, I truly appreciate your efforts on this very important issue, for holding the hearing this morning on the discussion draft bill, the Tribal Justice Improvements Act of 2008, and a discussion draft that outlines a variety of tools that we may improve Indian justice systems.

I want to welcome all of the witnesses here this morning. I thank you for the time that you are giving to the Committee, not only with your appearance this morning but your time in reviewing the draft. I know several of you have traveled distances to come here, and we appreciate that.

We have held five hearings during the 110th Congress here in this Committee to really shine the light on the issues that impact crime and punishment throughout Indian Country. We have attempted in Congress to address many of these issues before, as you all know. Back in 1990, Congress passed the Indian Law Enforcement Reform Act to significantly reform the Indian Justice system. This Act was intended to clarify law enforcement authority and responsibilities, declination, reporting requirements and to provide for a level of Federal accountability.

But I am disturbed, some 18 years later, that Indian tribal governments are still struggling to maintain law and order in their communities. They face spiraling violent crime rates with fewer resources, limited sentencing authority and insufficient detention facilities. In fact, from the information the Committee has received

*The information referred to is printed in the Appendix.

in connection with this initiative, it sounds like many of the law and order problems that were raised back in 1990 have progressively worsened on many of our reservations. The situation is made more difficult by the perception of gangs and other criminal elements that Indian reservations are places of lawlessness or safe havens from criminal justice.

So Mr. Chairman, I appreciate your efforts in addressing this matter and for working closely with the Indian tribal leaders in the reform initiative that is the focus of the hearing today. I also appreciate the opportunity to hear from all of the stakeholders in this matter throughout the legislative process.

I look forward to the testimony that we will receive here this morning and again appreciate all that you have done to assist the Committee. Thank you.

The CHAIRMAN. Senator Murkowski, thank you.

Senator Johnson, do you have an opening statement?

STATEMENT OF HON. TIM JOHNSON,
U.S. SENATOR FROM SOUTH DAKOTA

Senator JOHNSON. Thank you, Senator Dorgan, for holding this incredibly important hearing. I am glad to see so many South Dakota tribal leaders in the room.

I welcome John Thune to the hearing and would place my full statement in the record.

The CHAIRMAN. Without objection, so ordered.

[The prepared statement of Senator Johnson follows:]

PREPARED STATEMENT OF HON. TIM JOHNSON, U.S. SENATOR FROM SOUTH DAKOTA

Thank you Senator Dorgan for holding this hearing and I am glad to see so many South Dakota tribal leaders in the room. Their presence here demonstrates the importance of this issue to the tribes in my state.

The law enforcement challenges facing Indian Country are overwhelming and much of them have to do with inadequate funding. However, there are also considerable challenges facing tribes due to jurisdictional and legal barriers. I think this legislation goes a long way to address those barriers and I intend to join the bill as an original cosponsor when it is introduced.

Additionally, in my role as an appropriator I will continue to push for additional resources for tribal law enforcement and crime prevention programs. When given the tools to do so, our tribal leaders are both resourceful and creative in protecting their own communities. Thank you.

The CHAIRMAN. Senator Burr, did you have an opening statement?

STATEMENT OF HON. RICHARD BURR,
U.S. SENATOR FROM NORTH CAROLINA

Senator BURR. Mr. Chairman, if I could, very briefly, I want to welcome our entire panel, but I want to specifically welcome the top Federal prosecutor in the western portion of my State, North Carolina, Gretchen Shappert. It is a pleasure to see you, Gretchen, more importantly to have you here to discuss your thoughts on this important issue and the legislation before us.

Just so my colleagues are aware, Mr. Chairman, Gretchen is an accomplished jurist in North Carolina. She has been a prosecutor for 20 years and has been a U.S. attorney for the Western District of North Carolina since the year 2004. She is also the Chair of the

Department of Justice's Native American Issues Subcommittee. She knows the issue very well and recognizes the challenges that face tribal communities in my State as well as communities across the entire Country.

To help my colleagues understand her dedication and work ethic, Gretchen has as a prosecutor, her staff would tell you that she often arrives at the U.S. Attorney's office in Charlotte, North Carolina at 3:00 a.m. to begin her work day. She also carries a full case load, which is rare for a top prosecutor in any given judicial district, and manages the entire office. We are certainly fortunate to have Gretchen and the other witnesses here today to educate this Committee on the issues and to help us understand the challenges that we are faced with as we attempt to resolve these issues.

Mr. Chairman, I thank you, and I welcome you, Gretchen.

The CHAIRMAN. Senator Burr, those of us in the north sometimes think of southerners as boasting from time to time, particularly with respect to Texans. But this 3:00 a.m. start time for work in North Carolina, that is pretty unusual.

[Laughter.]

The CHAIRMAN. I hope that is a full day.

Anyway, thank you for introducing the U.S. Attorney from your State. We deeply appreciate your doing that.

Let me begin this morning, Senator Thune is our first witness. I am going to ask him to proceed from his perch on the dais at this point.

I should mention, the co-sponsors of the draft bill that we have introduced are Senator Johnson, Senator Domenici, Senator Tester, Senator Thune, and I believe others are going to be joining us soon. So let me thank you, Senator Thune. I will introduce you and then we are going to introduce each of the witnesses for statements, following which we will ask questions.

Senator Thune, you may proceed.

STATEMENT OF HON. JOHN THUNE, U.S. SENATOR FROM SOUTH DAKOTA

Senator THUNE. Thank you, Mr. Chairman and Senator Murkowski, for allowing me to testify on this important piece of legislation.

I also want to thank our witnesses for being here today, in particular, Chairman Ron His Horse Is Thunder represents the Standing Rock Sioux Tribe. He has provided extraordinary leadership when it comes to improving public safety on his reservation. So thank you for being here.

We also have another of our Chairs here today, Chairman Cournoyer of the Yankton Sioux Tribe. It is nice to have you in the audience as well. I appreciate very much the leadership that our tribal leaders are providing, particularly on this issue.

Unfortunately for Chairman Ron His Horse Is Thunder's Tribe, which is located in both North and South Dakota, he knows firsthand the struggles that are associated with the lack of public safety. I look forward to hearing his comments on the draft legislation that the Committee is discussing today.

I also want to thank Mr. Ragsdale for being here today and for all the work that you have done to support the Standing Rock Sioux Tribe with Operation Dakota Peacekeeper.

And thank you, Mr. Chairman, as well, for moving the legislation that was referred to earlier, for both Crow Creek and Lower Brule Sioux Tribes, and also Oglalla Sioux Tribe, the two compensation bills.

The bill that is being considered today seeks to bring law and order to Indian Country. As most of the individuals in this room already know, the absence of basic levels of public safety on many of our Nation's reservations has reached what I think could be considered a crisis point. Just a basic run-down of some of the national statistics bear that out.

Studies show that one in every three Native American women will be raped in their lifetime. The Department of Justice has found that American Indian women are two and a half times more likely to be raped or sexually assaulted than women throughout the rest of the Country. The statistics in my home State of South Dakota are also unfortunate. We have homicide rates within reservations that are almost ten times higher than those that are found in the rest of South Dakota. According to the BIA, the Standing Rock Sioux Tribe has a crime rate that is six times the national average, giving it the second highest crime rate of all reservations in the Nation.

Last summer, Mr. Chairman, I had the opportunity to hold a tribal roundtable with leaders from all nine of South Dakota's tribes. It was during that meeting it became clear that improving public safety is a top priority for all of them. Chairman His Horse Is Thunder was very, I believe at that particular meeting, direct in the things that needed to be done, one of which was to make sure we had more law enforcement presence out there and that there was more of an investment here by the Federal Government supporting the BIA and the tribes with their law enforcement efforts.

Since that time, I have been working with the members of this Committee, some of my other Senate colleagues, tribal leaders, Federal officials and other stakeholders, to try and find ways to improve public safety on all of our Nation's reservations. One recent example of that is the BIA's Operation Dakota Peacekeeper, which has resulted in a surge of 20 additional officers on the Standing Rock Sioux Reservation. These additional officers, along with local officials, are reducing the crime that unfortunately exists on some parts of the reservation.

Operation Dakota Peacekeeper proves that in order to fix the current crime crisis on our Nation's reservations, there needs to be more police to break the crime cycle. I look forward to continuing to work with this Committee, the Appropriations Committee and the rest of my Senate colleagues to be able to provide the needed officers on a more permanent basis.

In addition to more officers, there are other changes that need to be made. I feel that the draft bill that Senator Dorgan is proposing and which I support seeks to bring about some of these very needed, substantive changes.

I just want to briefly mention specifically, there are a number of provisions in this draft bill that I think are going to address the

crime problem, and I want to speak very briefly to three in particular. Section 103 clarifies and encourages the appointment of special assistant U.S. Attorneys to prosecute reservation crimes in Federal courts, with the hope that there will be an increase in prosecutions, especially targeting lesser offenses. While many areas of the Country have tribal liaisons, this section will hopefully formalize the program and allow for more consistency.

Title III of the bill seeks to empower tribal justice systems in a variety of ways. This includes providing greater flexibility in the training of law enforcement and corrections officers serving in Indian Country, and by increasing the maximum sentences that tribal courts can give if certain constitutional protections are met.

Title V seeks to improve both the tracking of crimes committed in Indian Country and also the reporting of those crimes. That is something that currently, in terms of data, is seriously lacking today.

So I am very interested, Mr. Chairman, in hearing the testimony of our witnesses today, learning what provisions in the bill they feel are useful, and what changes they think still need to be made. I have also solicited similar advice from our tribal leaders, tribal officials and other officials in my State of South Dakota. It is my hope when all this information has been compiled that this draft legislation can be introduced and a solution to the public safety crisis on our Nation's reservations can be found.

So again, Mr. Chairman, I want to thank you and I want to thank Senator Murkowski for allowing me to be here today. And I want to thank Chairman His Horse Is Thunder for his efforts and all of our other witnesses for the testimony that you are going to provide today.

Thank you.

The CHAIRMAN. Senator Thune, thank you very much.

I signed a letter with my colleague from North Dakota and the South Dakota delegation urging the Interior Department to implement the Safe Indian Community Initiative and try to respond to the spike in violence at the Standing Rock Reservation. You are quite correct about the serious difficulty that exists there.

I am going to ask each of the witnesses, we have a five-minute testimony period, and I know sometimes people think, well, I come to Washington and I only get five minutes. Mark Twain was once asked to give a speech, and he said, should it be a short speech or a long speech, because if it is a long speech, it will take no time to prepare, I will just start talking. If it is a short speech, it will take a substantial amount of time to prepare well.

So we are sorry for the time restrictions of five minutes, but in order for us to be able to have substantial time for questions, we want to get through the witnesses and hear your statements in full.

Let's start with Chairman Ron His Horse Is Thunder, from the Standing Rock Tribe. I am going to ask, if we can, to have the witnesses testify and then have Mr. Ragsdale testify last. I would normally invert that, and you have done that many times, Mr. Ragsdale, but I want to hear the other witnesses, then we will hear from you, then we will be able to respond to all of the issues that are raised.

Mr. Ragsdale, thank you for being here on behalf of the BIA.
Chairman Ron His Horse Is Thunder, why don't you proceed?

STATEMENT OF HON. RON HIS HORSE IS THUNDER, CHAIRMAN, STANDING ROCK SIOUX TRIBE

Mr. HIS HORSE IS THUNDER. Good morning, Chairman Dorgan. Thank you for the opportunity, honorable members of this Committee, I am honored to give some testimony on this draft bill.

Something has changed in Standing Rock. Not only do we have 20 more additional law enforcement officers, but something changed actually before they got here. Yes, Senator Thune, Standing Rock was number one, we had the highest crime rate of any reservation in the Country last year, in January.

I was told, though, that in January of this year, Standing Rock didn't hold that dubious distinction any longer, that we had dropped to number two in terms of the highest crime rate in Indian Country. The tribe, unfortunately, who now holds that distinction, did in January, is the Blackfeet Tribe in Montana. I say it is not because Standing Rock's crime rate had been reduced any, but rather, that Blackfeet Country's crime rate had spiked itself.

Standing Rock now, I am told, as of a month ago, had dropped from number two on the list to eight or nine on the list. Again, I feel sorry for the other tribes who now have surpassed us in terms of crime rate, because again, I live on a reservation where that crime rate was number one and not that our crime rate has been reduced all that much, if any, before this peacekeeping surge, but rather again, those tribes' crime rate has surged for them.

We do, however, have 20 additional law enforcement officers on our reservation right now. And it has made a world of difference on our reservation.

But I really want to comment on important changes that this bill makes, that it does do a number of things. It reauthorizes critical programs such as Indian Alcohol and Substance Abuse Act, the Tribal Jails Program, the Tribal Cops Program and the Tribal Youth Program. It does a number of other things which we agree with.

But today I don't want to focus on the things I agree with, because that is all in my written testimony, but rather on some of the things which we think are missing. I am not going to comment today on the jurisdiction over non-Indians within reservation in terms of an Oliphant fix, because I know that is also in our written testimony as well as the NCAI's written testimony, and I wholeheartedly agree with their written testimony. I want to focus, again, on the problems on Standing Rock, problems in terms of what is missing from the bill.

One problem with the bill is the attempt to tackle the lack of consistent police presence in South Dakota. Again, we experience this first-hand on Standing Rock. Until the BIA sent a law enforcement surge to our reservation two weeks ago, we only had two law enforcement officers per shift to patrol a reservation the size of the State of Connecticut, 2.3 million acres.

The bill would impose new consultation requirements and provide important flexibility in officer training. And the flexibility in officer training I think is going to make a huge difference in terms

of recruitment and getting law enforcement officers into the field faster. Right now, they all have to go to training in Artesia in New Mexico, and it takes quite a lengthy time to get everybody through that training facility. The flexibility in officer training is going to make a difference, we believe, and so we support that.

But it does little to address other problems and that is simply, how do you get more officers interested in going to Indian Country? A problem for us is that we believe officers don't want to come to Standing Rock, that we are one of those rural communities, and if you live in the Great Plains, you know what I mean. There is a problem with salaries, we think salaries ought to be made more attractive to recruit people. And one of the other problems that we have on our reservation is lack of housing. Law enforcement officers are not exempt from that problem. They have at times attempted to live in smaller communities, placing one officer way out in a distant community. When he was on patrol, his house got broken into.

So having more law enforcement officers living side by side in our communities will make a difference. We can't tell them where to live, but because we can't tell them where to live, some of them have chosen to live off the reservation, which doesn't make them part of the community. If you are going to have effective law enforcement, they need to be part of our community. People need to see them, they need to be thought of as friends. So housing becomes a critical portion we think needs to be addressed in terms of attracting law enforcement officers.

One of the other things we would like to see is the idea of creating a deputy program or apprenticeship program. One way to do this would be to allow tribes to designate officers, such as game wardens, who would receive additional training and be deputized as BIA police officers. Standing Rock offered to do this with our game and fish department, and most of our game and fish guys are ex-police officers, they have been through the training.

But the BIA turned us down. They said that there was a problem with liability concerns.

One of the other problems that we see or areas that are lacking in the bill is in terms of prosecution. We support many of the changes in the bill that are intended to close the gap in prosecution with requiring the filing of declination reports and referring cases to tribal prosecutors, providing for additional Assistant U.S. Attorneys in Indian Country and making it a Federal offense to violate tribal protection orders.

We ask, though, that you make it mandatory to provide tribal prosecutors with the full, the full case file in declined cases for both Indian and non-Indian offenders in Indian Country. If U.S. Attorneys decline to prosecute a case, we should be able to take it up, the tribal prosecutors should be able to take it up. But we need the full case file, not just a report saying, this case was declined. A full case report would help our prosecutors.

We also suggest that tribal prosecutors be designated to enforce Federal law, similar to the special law enforcement commissions granted to tribal police officers.

This brings me to a fundamental concern, and that is lack of funding. I see your red light on. Are my five minutes already gone?

The CHAIRMAN. Six and a half minutes, actually. But we are glad you are here. Why don't you summarize at some point, Chairman?

Mr. HIS HORSE IS THUNDER. There are basically four fundamental pillars of justice in the Indian community, and that is the need for more police officers, the court systems need to be shored up. If we are going to bring in more offenders into our court systems, we need more dollars for the court systems.

Detention facilities are an area of utmost concern. I am very glad that you made part of the public record the detention facilities report, because it will show that there is a horrendous job in terms of detention facilities that this Administration has created across Indian Country. So we thank you for making that part of the report.

The fourth pillar in justice in Indian Country is this: alternative treatments for juveniles. You just can't simply lock them up, otherwise they are going to become more hardened criminals. We need to work with IHS, BIA needs to work hand in hand with IHS in terms of treatment for juvenile offenders.

Senator, members of the Committee, thank you for this opportunity to testify before you.

[The prepared statement of Mr. His Horse Is Thunder follows:]

PREPARED STATEMENT OF HON. RON HIS HORSE IS THUNDER, CHAIRMAN, STANDING ROCK SIOUX TRIBE

My name is Ron His Horse Is Thunder. I am the Chairman of the Standing Rock Sioux Tribe. I am honored to report on the law enforcement needs of the Tribe and to provide the Committee with comments on the draft bill entitled "the Tribal Justice Improvement Act of 2008." I want to thank this Committee, particularly Senator Dorgan, for your tireless work to secure much-needed resources for Indian country, for recognizing the need to reform Indian country law enforcement, and for your vision and commitment in creating this draft bill.

The Standing Rock Sioux Tribe is situated in North and South Dakota. The Reservation comprises 2.3 million acres, of which 1.4 million acres is Tribally owned and allotted trust lands. About 10,000 Tribal members and non-members reside on the Reservation in eight communities and in smaller towns. The Tribe's primary industry is cattle ranching and farming. We operate the Standing Rock Farms, two Tribal casinos, and a sand and gravel operation which help us supplement services and programs for our nearly 14,000 enrolled members.

It is important to recognize that effective public safety requires improvement and investment in all four pillars of the justice system: police, courts, detention and alternative services. All four areas must be addressed at once in order for any single improvement to be effective. Today, I will discuss our law enforcement needs and how the draft bill might help. I address each area in turn, providing specific comments on the bill. I will focus on specific provisions as well as on what I believe is missing from the bill.

I. Police

We are a direct service tribe, meaning that law enforcement and detention services are provided directly by the BIA. Until very recently, we had ten BIA police officers. This is enough for only two officers per 24-hour shift to patrol a 2.3 million acre reservation encompassing four towns, eight separate communities, 2,500 miles of roads, and a population of 10,000 residents. A 1997 Justice Department study found that Indian country had 1.3 officers for every 1,000 inhabitants, versus 2.9 officers in non-Indian jurisdictions. With our ten officers, we are 25 percent below the average for Indian country and about 66 percent below the average number of officers per 1,000 inhabitants in non-Indian jurisdictions.

As a result of inadequate law enforcement, we have one of the highest reservation crime rates. A 2006 "Gap Analysis" commissioned by the BIA to identify and review current policing and detention capacity in Indian country found that BIA District 1, which encompasses an eight-state region including North and South Dakota, had 108 law enforcement officers (LEOs), but needs over four times that amount (483 LEOs). In 2007, the BIA estimated that we would need at least 28 officers at Stand-

ing Rock to meet minimally safe staffing requirements, yet by spring of this year we still had only ten officers, despite our repeated requests to the BIA for more officers and despite Congress' increased funding to the BIA in FY 2008 to provide more officers on high crime reservations.

Violent crime rates are increasing. In FY 2007, our violent crime rate was 1,138 per 100,000. We are a rural community, but our crime rate parallels that of a major city. Just last month, a young man, a tribal member and the son of the project manager for our juvenile services center, was murdered. Our community was devastated by this murder and, even worse, it furthered solidified the impression that the BIA would never step up to provide adequate law enforcement services. However, in the wake of this young man's murder, a "surge" of officers arrived at the reservation. For two weeks, we have had 20 additional BIA public safety officers providing 24-hour enforcement.

We can already see the results of increased enforcement. Our court dockets are full, and our jail so full that we now have arraignments seven days a week. We have also seen an increase in referrals to child protective services. While these statistics may not seem positive, they mean that some of the problems occurring are being addressed, perhaps for the first time in years. Increased police presence on our reservation has, at least in the past two weeks, made an enormous difference in our community's sense of safety. My concern and frustration is knowing that this surge is limited in duration.

When Congress took the Black Hills February 28, 1877, it promised to secure to us an orderly government. *Ex Parte Crow Dog,* 109 U.S. 556, 566, cites Article 8 of that Act as follows:

> The provisions of the said treaty of 1868, except as herein modified, shall continue in full force, and, with the provisions of this agreement, shall apply to any country which may hereafter be occupied by the said Indians as a home; and congress shall, by appropriate legislation, secure to them an orderly government; they shall be subject to the laws of the United States, and each individual shall be protected in his rights of property, person, and life.

This provision remains good law and demonstrates the responsibility of the United States to make the increased number of law enforcement officers assigned to the Standing Rock Reservation permanent positions.

We support the draft law enforcement bill and we believe the provisions requiring increased consultation, data collection, and reporting are important. However, we are concerned that these provisions will make little practical difference when it comes to the lack of law enforcement officers in Indian country. The BIA and Congress know the statistics regarding the shortfalls in law enforcement and detention officers and the required officers and funding that must be provided to redress this public safety crisis, and yet we still do not have enough officers. We ask that you consider making additional changes to address some of the barriers to recruiting and retaining qualified police officers, such as:

- Raising officer salaries and creating recruitment incentives.
- Permitting tribes to use NAHASDA money to provide housing for tribal and BIA law enforcement officers.
- Permitting tribes to designate officers who would be eligible to receive additional training and be deputized as BIA police officers. Last year, the Standing Rock Sioux Tribe offered to designate Tribal Game Wardens as additional police officers in order to address the severe shortage of police officers, but the BIA declined our request, citing liability issues.
- Authorizing an apprenticeship program, in which officers in training could serve alongside full police officers before and during their training.

The draft bill would make important changes, however, to help ensure that existing officers are properly trained and held accountable. In particular, we support:

- Section 301, which would permit officers to be trained at alternate sites, including state police academies. With our small force, it has been very difficult to have officers leave the reservation for six months to train in Artesia. However, we ask that this provision be strengthened because we believe the BIA already has this authority but chooses to require training in Artesia. We suggest a provision requiring the BIA to authorize specific alternate local training options at the Tribe's request.
- Section 603, which would require BIA officers to undergo specialized training in domestic violence and sexual assault. This training is critical, and without it these crimes will continue to go uninvestigated and unprosecuted.

- Section 301(b), which would make Special Law Enforcement Commissions (SLECs) mandatory at a tribe's request.

We also ask Congress to recognize the significant law enforcement equipment needs in Indian country. We desperately need additional money to pay for new equipment, especially police vehicles. Outdated equipment poses a danger to officers and to the community. The bill should provide new resources for equipment upgrades.

II. Prosecution

Increased arrests are of little use in the long run if the crimes are never investigated or prosecuted. Between 2004 and 2007, United States attorneys declined to prosecute 62 percent of reservation criminal cases referred to their offices and there has been a 27 percent decrease in Indian country criminal investigations by the FBI from 2001–2006, during the period when violent crimes in reservation communities are increasing. Last July, National Public Radio reported on the rape of a young woman, a 20-year-old tribal member living on the Standing Rock reservation. Her alleged attackers were non-Indians. Her rape was never investigated by BIA police, the FBI, or the Justice Department. In fact, the IHS hospital did not even have a rape kit to preserve evidence correctly. She died a week after the incident, and her attackers were never investigated, let alone brought to justice.

We are especially supportive of the provisions of the draft bill which would increase federal accountability for prosecuting reservation crimes, including:

- Section 102, which would make declination reports mandatory anytime federal officials decline to investigate or prosecute a crime in Indian country and would require federal prosecutors to provide details of the case to tribal prosecutors so the tribe can pursue the case. We believe it should also be mandatory to provide tribal prosecutors the case files associated with any declined cases, for both Indian and non-Indian offenders.
- Section 103, which would authorize the U.S. Attorney to appoint special prosecutors in Indian country where the crime rate exceeds twice the national average and would require the appointment of Indian country liaisons.
- Section 601, which would make it a federal crime to violate a tribal protection order.

While these changes will help increase federal accountability for prosecution, Indian country law enforcement will always have to compete with other Department of Justice priorities such as border patrol and homeland security. The bill could better ensure consistent enforcement if tribal prosecutors were empowered to bring federal charges in federal courts. Such a program could be similar to the SLEC program for tribal police.

III. Tribal Court Powers and Resources

The Tribe strongly supports the provision that would permit tribal courts to impose longer sentences. At Standing Rock, we provide public defender services and strive to ensure that due process is provided in all stages of prosecution, and we believe expanded sentencing authority is long overdue. The Standing Rock Constitution was changed by referendum on June 11, 2008 to permit sentences of up to one year and/or fines of up to $5,000 per violation.

Expanded sentencing authority for Indian offenders does not go far enough. A significant portion of crimes committed at Standing Rock and on other Reservations are committed by non-Indians. This is especially true for drug crimes and for violence against women and sexual assault. The bill proposes to require tribal courts to meet certain basic due process requirements in order to impose sentences of more than one year on Indian defendants; these same courts should be empowered to sentence non-Indian offenders as well. The Tribe strongly supported the jurisdictional pilot project outlined in your 2007 concept paper. This project would have permitted certain tribes, after adopting specific due process protections, to exercise criminal jurisdiction over non-Indians for domestic violence offenses where the offender was in a consensual (married or cohabiting) relationship with an Indian victim. This program would be an important first step toward expanded tribal criminal jurisdiction and it would also help stem the rampant violence against Indian women, which has been well-documented before this Committee. This is an emergency situation which requires a strong response. Standing Rock would be pleased to host such a pilot program. This provision should be restored to the bill.

Another way to address the problem of non-Indian crime while allaying some of the U.S. Supreme Court's concerns about membership and criminal jurisdiction would be to empower tribal courts to exercise delegated federal prosecutorial pow-

ers. Allowing tribal courts to enforce at least federal laws against non-Indian criminals would go far toward closing the significant gap in law enforcement. As it is, tribal courts are powerless to respond to criminal activity by non-Indians on reservations, yet the Federal Government consistently fails to perform its duty in this respect. Reservation "lawlessness" cannot be addressed without attention to the crimes of non-Indians.

We also support Title III and Title IV of the bill, which would strengthen tribal justice systems and provide increased access to federal crime databases. We remain concerned, however, that a lack of funding is the root of the difficulties faced by tribal courts. If the changes proposed in the draft bill are not supported by significantly increased appropriations for tribal courts, Congress will be setting tribal courts up to fail. We need additional personnel in the Tribal Courts to assure timely processing of cases to protect the rights of the victims and the accused in accordance with the Standing Rock Bill of Rights set forth in Article XI of the Tribal Constitution, which mirrors the Indian Civil Rights Act.

We also support the provision that would require the Bureau of Prisons to house these felony offenders at the tribe's option. Given the detention shortages in Indian country, this is essential to the success of any expanded sentencing authority.

IV. Detention

We support the provisions of the daft bill that would provide additional resources for detention construction. However, we are concerned that more needs to be done. The need for detention services in Indian country received significant Congressional attention in 1997 when President Clinton published his "Report of the Executive Committee for Indian Country Law Enforcement" and again in 2004 when the Inspector General under President Bush published "Neither Safe Nor Secure: An Assessment of Indian Detention Facilities." Each time Congress directed significant additional resources to detention but little improved, due to serious problems with the BIA's management of its detention program. One significant problem is that the BIA makes unilateral decisions regarding detention policies and how to allocate detention funding without consulting or notifying tribes. Section 101 of the draft bill should require that the Bureau consult with tribes on policies and standards, not just regulations.

The Department of Justice has provided several grants in the past decade for tribes to construct new detention facilities, some of which have never opened. Standing Rock has one of those facilities. We received a $3.695 million grant to design and construct an 18-bed juvenile facility on the reservation. Unfortunately, construction has been stalled for several years because our architects have identified an additional $1.2 million in unmet construction costs. Nearly one-half of our resident Tribal members are under the age of 25. There is no effective law enforcement for youth offenders at Standing Rock if they are released because there are no facilities to house them. We are working to create a place in the community where individual and family counseling can reverse destructive behavior. The bill should address how existing shortfalls will be handled so that in-progress facilities can be completed quickly.

Another major barrier is the Bureau's resistance to providing ongoing operations and maintenance funding for these facilities once they are completed. We understand that the Department of Justice is seeking assurances that newly-built facilities will have steady operational funding, but the BIA is unwilling to commit to funding in advance. We would like to see the bill address this by requiring the BIA and the DOJ to coordinate regarding operation of new facilities and requiring BIA to operate at least those facilities included in the joint planning process.

Finally, detention facilities sometimes remain unopened because the Bureau is unable to recruit and retain qualified staff. Any improvements in the bill related to police officer recruitment, training and retention should also apply to detention and corrections staff. Specifically detention staff should also have the option of training at alternative local sites.

V. Other Facility Construction

While manpower is one piece of the equation, adequate facilities are another important piece. This includes police stations, courtrooms, short and long-term detention facilities, and transitional and treatment facilities. While the draft bill does a great deal to increase the resources for construction of detention facilities, we would like to see this expanded to include other facilities. For example, we are in the process of conducting a staffing and space needs assessment to assist us in designing and building a modern Tribal Justice Center to house Tribal Courts, the BIA police department, and an adult detention center. Right now, there is simply no money within the BIA or the DOJ for this type of project. Similarly, the DOJ will not con-

struct and the BIA will not operate any alternative facilities, such as treatment centers or drug court programs. Yet these facilities are equally important to Indian country justice systems, especially if we are to avoid a cycle of locking up more and more of our own people.

VI. Tribal Eligibility for Justice Grant Programs

We encourage the Committee to consider adding a provision that would make tribes directly eligible for the full range of justice-related grants that are available to other governments. Section 302 would make this change for drug enforcement grants, and we encourage you to expand this section to include all other justice-related grants. In particular, tribes are not now directly eligible for Byrne Justice Assistance Grants, Byrne Formula Grants, Local Law Enforcement Block Grants, juvenile justice formula grants, and many other targeted grants offered by the Department of Justice. This should be corrected.

Thank you again for your work on this bill and for inviting me to testify today. The Standing Rock Sioux Tribe looks forward to working with Congress to improve and pass this legislation.

The CHAIRMAN. Mr. Chairman, thank you very much for being here. We appreciate your testimony.

Next we will hear from Mr. Joe Garcia, who is the head of the National Congress on American Indians and has done a lot of work and provided great leadership on these issues. Mr. Garcia, thank you for being here.

STATEMENT OF JOE A. GARCIA, PRESIDENT, NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. GARCIA. Thank you.

Good morning, everyone. I bring greetings Pueblo Country out in New Mexico.

If I may, Senator, we lost a Cherokee Indian patrolman, highway patrolman just last night or yesterday. So I would like to ask people to say in their own prayers, in their own way, prayers for him and for his family out in Cherokee Eastern Band.

Honorable Chairman and members of the Committee, thank you for the opportunity to testify today. Almost one year ago, NCAI provided testimony that outlined solutions to the public safety crisis in Indian Country. We urged the Committee to write legislation, work with the tribes and then pass legislation in this session of Congress.

I want to express my deepest appreciation to Senator Dorgan, Vice Chair Murkowski and Senators Kyl, Johnson, Thune, Burr, Barrasso, Akaka, Cantwell, and Tester, for taking up this important task. The legislation reflects first-rate work and provides common sense solutions. Indian communities have lived with high crime rates for many years. But this reality has finally gained broader attention. There is a window of opportunity right now to make constructive change.

I feel a tremendous responsibility to make improvements when they are possible. However, this is the time when we must listen to tribal leaders and take advantage of the insights they can provide. The draft legislation was circulated only last week, so we will need a little bit more time for better response. In particular, we have found that the best information often comes from people who work in the criminal justice system.

I am pleased that with the direction of the draft bill, it tackles a wide range of issues that have been raised by tribal leaders, including requiring the Department of Justice to track its declina-

tions and creating an office of Indian Country crime within the criminal division. The Department of Justice has the sole authority for investigating and prosecuting violent crimes and other felonies committed on Indian reservations.

Despite these laws, the violent crime rate on Indian reservations is two and a half times the national average. Indian women are victims of rape and sexual assault at three times the national average. Tribes are faced with an epidemic of drug trafficking.

For many years, tribal leaders have raised the concern that the U.S. Attorneys do not consider Indian Country crimes a priority. The recent Denver Post series confirmed these concerns. Between 1997 and 2006, Federal prosecutors rejected nearly two-thirds of the reservation cases brought to them by FBI and Bureau of Indian Affairs investigators, more than twice the rejection rate for all other Federal crimes.

We have a revolving cast of characters at DOJ committed to defending the status quo. No one is accountable, and the crime statistics continue to mount. We strongly approve the proposed reforms. In particular the declination reports will provide an important tool for measuring responsiveness and a specialized prosecuting unit will focus expertise and accountability.

The bill is filled with important provisions. I would like to mention just a few that we particularly appreciate: providing for special law enforcement commissions, creating flexibility for training tribal police officers, creating incentives for law enforcement cooperation, ensuring access to national crime data bases, expanding tribal court sentencing authority and creating a juvenile justice program to develop alternatives for incarceration.

I would also like to mention three issues that are not in the legislation. First and foremost, at every meeting, the biggest message from tribal leaders is the need for more funding for law enforcement. The Bureau of Indian Affairs has documented a $200 million unmet need. We need your help to reach out to the Appropriations and Budget Committees.

In addition, we would like to streamline the funding available through the many grant programs at the Department of Justice and the Department of Health and Human Services into a single funding vehicle. The ad hoc system doesn't make sense.

Secondly, we are concerned that the legislation does not include a provision for tribal jurisdiction over all domestic violence offenders. Domestic violence rates against Indian women are three times the national average. According to DOJ's statistics, the vast majority of the offenders are non-Indian. Domestic violence cases are best handled by local law enforcement. A cycle of domestic violence requires intervention at the earliest possible stage, long before it escalates to extremely violent assaults. In addition, most families will reunite, and there is a much greater emphasis on counseling, training and family services. The Federal justice system is not designed to handle domestic violence cases.

We acknowledge the efforts to seek alternatives. Section 601 of the bill is a proposal to create a Federal crime for violating a tribal civil protective order. We would ask the Committee to also consider the development of a pilot project for domestic violence that would create a basis for considering the issue in the future.

Third, we are concerned that the legislation in its current form does not address the unique law enforcement issues in Alaska Native communities. Our primary recommendations are that the Federal Government provide direct funding for rural law enforcement in Alaska, strengthen tribal courts and restore local control over alcohol and substance abuse policies.

In conclusion, I want to thank the Committee for all the work that you have done on this legislation. We are strongly in support of your efforts and look forward to working with you in the coming weeks to prepare the legislation for passage into law.

Thank you so much for the opportunity.

[The prepared statement of Mr. Garcia follows:]

PREPARED STATEMENT OF HON. JOE A. GARCIA, PRESIDENT, NATIONAL CONGRESS OF AMERICAN INDIANS

Honorable Chairman and members of the Committee, thank you for the opportunity to testify today. Almost one year ago NCAI provided testimony that outlined the complex causes and potential solutions to the public safety crisis facing Indian communities. We urged the Committee to write legislation, work with the tribes to gain their insights and support, and then pass legislation in this session of Congress. We have the draft legislation in hand, and I want to express my deepest appreciation to Chairman Dorgan, Vice Chair Murkowski and Senators Kyl, Johnson, Thune and Tester for taking up this important task. The legislation reflects first-rate work and provides common-sense solutions for many problems with the justice system in Indian country.

Indian communities have lived with high crime rates for many years, but this reality has finally gained broader attention. Much of the momentum on this issue was sparked by the efforts of the Indian women leaders who have pushed the agenda on domestic violence and sexual assault. We have also been aided by countless visits by tribal leaders to Washington to raise this issue, federal crime reports that demonstrate the dramatically higher rates of violent crime on Indian reservations, the Amnesty International Report "Maze of Injustice," and many news articles that have highlighted the problems—most recently the national series in the Denver Post and South Dakota coverage in the Argus Leader. There is a window of opportunity right now to make constructive change. I feel a tremendous responsibility as NCAI President to push forward on the legislation to make improvements when they are possible.

However, this is the stage in the process where we must listen to tribal leaders and other interested parties and take advantage of the insights they can provide. The draft legislation was circulated only last week, so we will need time for response. In particular, we have found that the best information often comes from people who work in the criminal justice system—tribal police officers, tribal prosecutors, tribal judges and the like. I would encourage the Committee to make a special effort to reach out for their views on how the legislation can be strengthened.

I am very pleased with the direction of the draft bill. It tackles a wide range of issues that have been raised by tribal leaders, including:

- Requiring the Department of Justice to track its declinations to prosecute Indian cases;
- Creating an Office of Indian Country Crime within the Criminal Division at DOJ;
- Amending P.L. 280 to permit an Indian tribe to request federal assistance;
- Creating incentives for state-tribal cooperation;
- Providing for Special Law Enforcement Commissions;
- Creating flexibility for training Indian country police officers;
- Ensuring BIA and tribal police access to the national crime databases;
- Expanding tribal court sentencing authority; and
- Creating a Juvenile Justice program to develop alternatives to incarceration.

There are many excellent provisions in the legislation and NCAI has had a significant opportunity to provide input, so I would like to limit our initial comments to raising four issues that are not in the legislation, and then providing additional information on some of the provisions that NCAI has supported.

Appropriations and Streamlined Funding—First and foremost, at every meeting we have held on this topic the biggest message from tribal leaders is the need for more funding for law enforcement. The Bureau of Indian Affairs has documented a $200 million unmet need to bring reservation policing up to the same levels found in other rural communities. According to BIA testimony, tribal detention facilities are grossly overcrowded, in deplorable condition, and staffed at only 50 percent.[1] We understand that we need to reach out to the Appropriations and Budget Committees to ensure that adequate funding is provided so that this legislation can be effective. In addition, we believe there is a need to streamline the funding available through the Department of Justice, Department of Interior, and Department of Health and Human Services. Tribal law enforcement funds are divided up between the DOI and DOJ. Within the DOJ these funds are further divided into dozens of competitive grants for specific purposes. Moreover funding for prevention, rehabilitation, and treatment programs, which are key components of any community's approach to reducing crime, are located at IHS, SAMHSA, and elsewhere within the DHHS.

This system requires a large grant writing capability and a good bit of creativity in order to access the funds. Millions could easily be spent providing the technical assistance tribes need just to navigate this overly complex system. Under this ad hoc system, tribal law enforcement will receive vehicles, but no maintenance. They will get a detention facility, but no staff. They will receive radios, but no central dispatch. The system doesn't make sense. We believe that tribal public safety funding should be streamlined into a single funding vehicle that would be negotiated on an annual basis and made more flexible to meet local needs.

Domestic Violence—Secondly, we are disappointed that the legislation does not include a provision for tribal jurisdiction over all domestic violence offenders. Domestic violence rates against Indian women are three times the national average and, according to DOJ statistics, the vast majority of the offenders are non-Indian. As we have worked on this legislation, we have attempted to put ideology to the side and focus on the necessary solutions to very real law and order problems. We are pleased that the legislation contemplates improvement of the federal law enforcement response, but very doubtful that federal prosecutors will aggressively pursue domestic violence cases. We know that there are very devoted individuals working for the FBI and United States Attorneys, but the federal justice system simply is not designed or equipped to handle domestic violence cases.

Domestic violence cases are best handled by local law enforcement. The cycle of domestic violence requires intervention at the earliest possible stage, long before it escalates to the very violent assaults that result in federal prosecution. In addition, domestic violence offenders require a different response than is found in the federal system. Most families will reunite and there is a much greater emphasis on counseling, training, and services related to substance abuse, parenting skills and job counseling. None of these services are available in the federal system, which is oriented to punishing very severe offenses. A modest adjustment of existing tribal authority limited only to those who consensually cohabitate with a tribal member on tribal land is absolutely necessary to regulate domestic relations within the tribe.

What is most disappointing is that it appears such legislation cannot be introduced even for purposes of discussion. We understand that the issue is sensitive, but we also know that reasonable solutions can be reached if the issues are aired for public debate. We acknowledge the efforts to seek alternatives. Section 601 of the bill is a proposal to create a federal crime for violating a tribal civil protective order. We want to continue to discuss this option, but we are concerned that it relies on the willingness of the U.S. Attorneys to prosecute the cases. We would ask the Committee to consider the development of a small pilot project for tribal domestic violence jurisdiction that would create a firmer basis for considering the issue in the future.

Alaska Native Villages—Third, we are concerned that the legislation in its current form does not address the unique law enforcement issues in Alaska Native communities. Alaskan tribal lands are not considered "Indian country" after the Supreme Court's decision in *Alaska v. Native Village of Venetie.* Tribal communities in Alaska experience high rates of domestic violence and sexual assault and significant problems with substance abuse. Most of the native communities are only accessible by plane or boat, and are completely dependent on state law enforcement. The Village Public Safety Officer program has had its budget slashed by the state, and many tribal communities in Alaska are terribly underserved by state police and other services. We know that the Committee is aware of these problems and would urge

[1] Testimony of Guillermo Rivera before the National Prison Rape Elimination Commission, March 26, 2007, *available at http://www.nprec.us/proceedings__austintx.htm.*

the Committee to reach out to Alaska tribal leaders to develop ways to improve law enforcement in Alaska. Our primary recommendations are that the Federal Government provide direct funding for rural law enforcement in Alaska, to strengthen tribal courts, and that tribal communities in Alaska be given greater control over alcohol and substance abuse policies.

Misdemeanors and Victimless Crimes Committed by Non-Indians—The general lack of tribal or federal jurisdiction for misdemeanors committed by non-Indians creates significant problems for law enforcement. Alcohol and drug related disturbances, traffic violations, domestic violence and gang activity commonly involve both Indians and non-Indians. The absence of tribal jurisdiction to deal effectively with non-Indians creates a perception that the likelihood of being caught and punished is low, and encourages a disregard for tribal law enforcement. This problem is compounded by the status of "victimless" crimes—those committed on the reservation by a non-Indian that do not actually involve harm or threat to the person or property of an Indian. Neither the tribe nor the Federal Government has jurisdiction over victimless crimes, only the state. As a result, most routine disorderly conduct, traffic violations and other moral offenses committed by non-Indians within Indian country receive little enforcement attention. These gaps in tribal and federal jurisdiction defeat community-based policing initiatives and create disorder and disregard for law enforcement in Indian country. [2]

One solution that has been suggested is to expand tribal and Bureau of Indian Affairs authority to cover a broader range of "non-major" crimes as well as misdemeanors and "victimless" crimes committed by non-Indians. This could be done in two ways. First, directly authorize tribes to prosecute misdemeanors. Second, the Bureau of Indian Affairs could be authorized to develop regulations governing misdemeanors and minor crimes committed by both Indians and non-Indians in a manner similar to the National Park Service. See 16 U.S.C. § 1c and also the current regulations governing Indian offenses at 25 C.F.R. Part 11. Legislation and regulations would need to be carefully crafted not to "federalize" misdemeanor crimes that are committed to tribal government enforcement. Public Law 638 contracting could play a role, as well as an option for express consent to tribal court jurisdiction in lieu of federal prosecution.

Title I—Federal Accountability and Coordination

Under the Major Crimes Act and other federal laws, the Department of Justice has the sole authority for investigation and prosecution of violent crimes and other felonies committed on Indian reservations. Despite these laws and the federal trust obligation to protect Indian communities, the violent crime rate on Indian reservations is two and a half times the national average, Indian women are victims of rape and sexual assault at three times the national average, and tribes are faced with an epidemic of drug trafficking. These crime rates have been doubling and tripling in Indian country while crime rates have been falling in similarly low-income communities throughout the United States. Something is seriously wrong with the federal law enforcement response.

For many years, tribal leaders have raised the concern that the U.S. Attorneys do not consider Indian country crimes a priority and decline to prosecute an extraordinary percentage of cases. The Denver Post series from November of 2007 confirmed these concerns.

- Between 1997 and 2006, federal prosecutors rejected nearly two-thirds of the reservation cases brought to them by FBI and Bureau of Indian Affairs investigators, more than twice the rejection rate for all federally prosecuted crime.
- Investigative resources are spread so thin that federal agents are forced to focus only on the highest-priority felonies while letting the investigation of some serious crime languish for years. Long delays in investigations without arrest leave child sexual assault victims vulnerable and suspects free to commit other crimes.
- Many low-priority felonies never make it to federal prosecutors in the first place. Of the nearly 5,900 aggravated assaults reported on reservations in Fiscal Year 2006, only 558 were referred to federal prosecutors, who declined to prosecute 320 of them. Of more than 1,000 arson complaints reported last year on Indian reservations, 24 were referred to U.S. Attorneys, who declined to prosecute 18 of them.
- Congress has increased the amount of money allocated to the Bureau of Indian Affairs for tribal police, but that increase has been largely spent on patrol offi-

[2] Testimony of John St. Claire, Chief Judge, Shoshone and Arapaho Tribal Court, Wind River Indian Reservation, Senate Committee on Indian Affairs, February 27, 2002.

cers. Federal investigators and prosecutors have also received sizable boosts in their budgets for work in Indian Country, but those increases have failed to produce a perceptible rise in the number of investigations or prosecutions from reservations. Federal prosecutors and investigators triage scarce resources to work on issues that are considered a higher priority.

- From top to bottom, the Department of Justice's commitment to crime in Indian Country is questionable. Former United States Attorney for the Western District of Michigan Margaret Chiara was quoted saying, "I've had (assistant U.S. attorneys) look right at me and say, 'I did not sign up for this'. . . . They want to do big drug cases, white-collar crime and conspiracy." Comments from former United States Attorney for Arizona, Paul Charlton indicate that this attitude came from the top. Charlton has related a story where a high-level Department of Justice official asked him why he was prosecuting a double-murder in Indian Country in the first place. [3]

Some internal efforts have been made at the Department of Justice to improve the focus on Indian country crime, but these efforts have shown little in the way of results. Former Attorney General Janet Reno created the Office of Tribal Justice, but the status of this office has been diminished in recent years. Former Attorney General John Ashcroft supported the district priorities of the U.S. Attorneys, and under his leadership the Native American Issues Subcommittee of the Advisory Committee to the Attorney General worked to increase prosecutions and address problems with violent crime and drug trafficking in Indian country. However, six of the members of the Native American Issues Subcommittee were among those who were asked to resign in 2006, including both the former Chair and Vice-Chairs Thomas Heffelfinger and Margaret Chiara. Monica Goodling, former aide to Attorney General Gonzales, stated in her House Judiciary Committee testimony that Thomas Heffelfinger was replaced because he spent "too much time" on the Native American Issues Subcommittee. Now we have a new cast of characters at DOJ and they seem to be committed to the status quo. According to U.S. Attorney Diane Humetewa's testimony, DOJ does a great job and there are no problems. No one is held accountable and the crime statistics continue to mount.

There is a serious concern that the Department of Justice central office places no priority on addressing crime in Indian country, and is subject to no oversight or accountability on its efforts or performance. Indian tribes do not wish to "federalize" more crimes and put more Indians in federal prison. However, serious felonies and dangerous criminals—whether Indian or non-Indian—are under the sole jurisdiction of the Department of Justice and this responsibility must be taken seriously. We strongly approve of the proposed reforms at the Department of Justice to ensure that Indian country crime is subject to consistent and focused attention. In particular:

- Section 102 would require the Department to maintain data on declinations of referred Indian country cases, and to report annually to Congress. Tribal leaders and Members of Congress have sought this data for decades, but have been rebuffed by a Department of Justice that hides behind broad claims of prosecutorial discretion and a steady unwillingness to release any internal data. This will provide an important tool for measuring responsiveness to referred cases.
- Section 104 would create an Office of Indian Country Crime within the Criminal Division of the Department of Justice. We have attached a copy of the organizational chart of the Criminal Division, which has a section and prosecutors assigned to every sort of federal crime, except for Indian country crime. We believe this is a reflection of the low priority that Indian Country crime receives within the DOJ. Specialized prosecutorial units are very effective in focusing expertise and a response on particular types of crime. We strongly support this aspect of the legislation.

Title II—State Accountability and Coordination

Although the federal system of justice in Indian country has serious difficulties, there is a worse system. Under Public Law 280, state law enforcement has displaced federal enforcement and assumed full or partial jurisdiction over crimes committed within Indian Country in certain states and on certain reservations. Many tribes strongly opposed P.L. 280 because of the law's failure to recognize tribal sovereignty and the lack of consent of the affected tribes. States have focused on the failure of

[3] Mike Riley, *"Principles and Politics Collide: Some U.S. Attorneys who emphasize fighting crime on Indian lands have seen themselves fall out of favor in D.C.,"* DENVER POST, Nov. 14, 2007.

the Act to provide federal funding—an unfunded mandate on lands that are not taxable. Even though tribes retain concurrent jurisdiction, the Federal Government has viewed P.L. 280 as an excuse to cut off tribal financial and technical assistance for law enforcement. The law has contributed to mistrust and hostility between state and tribal officials on many reservations. A common tribal perception is that state law enforcement refuses or delays when the tribe asks for assistance, but vigorously asserts their authority when the tribe does not want them to intervene. Professor Carole Goldberg has made a compelling case that the law has worsened the problem of lawlessness on reservations:

> Public Law 280 has itself become the source of lawlessness on reservation. Two different and distinct varieties of lawlessness are discernible. First, jurisdictional vacuums or gaps have been created, often precipitating the use of self-help remedies that border on or erupt into violence. Sometimes these gaps exist because no government has authority. Sometimes they arise because the government(s) that may have authority in theory have no institutional support or incentive for the exercise of that authority.*** Second, where state law enforcement does intervene, gross abuses of authority are not uncommon. [4]

Section 201 proposes a modest reform of P.L. 280. The statute distinguishes between the six "mandatory" P.L. 280 states, and the other states that elected to assert jurisdiction prior to 1968. In the mandatory states, the Federal Government has been divested of Indian country jurisdiction. For example, in Minnesota the U.S. Attorney has authority to prosecute major crimes only on the Red Lake Reservation, but could not prosecute a major crime on the other reservations within the state. This legislation would allow the tribe to request that the U.S. Attorney exercise concurrent jurisdiction over Indian country crimes and major crimes. We support this reform because it would increase tribal control and create another means to address unmet law enforcement needs. At the same time, we strongly advocate that Congress should amend P.L. 280 to allow tribes to retrocede without state consent.

Section 202 is also an extremely important part of this legislation. It is widely recognized that increased cooperation is vital to improving tribal, state and federal law enforcement responsiveness. There is already a significant amount of cooperation between tribes, states, and counties, and there are hundreds of cooperative law enforcement agreements. These agreements are grounded in the shared recognition that tribes, states and counties can enhance their law enforcement efforts working together. Recognition of these benefits is sufficiently widespread that a number of states such as Arizona, New Mexico, Nevada, North Carolina and Washington now provide for the deputization of tribal officers by statute. *See, e.g.,* Arizona Rev. Stat. Ann. § 13–3874 ("While engaged in the conduct of his employment any Indian police officer who . . . meets the qualifications and training standards adopted pursuant to section 41–1822 shall possess and exercise all law enforcement powers of peace officers in this state).

Although law enforcement cooperation is common, it is not found everywhere. There are still a number of places where cooperation is minimal, and the relationships are sometimes antagonistic. In our experience, these poorer relationships are driven by the long histories of disrespect and indifference that have existed for many decades in the rural areas around some Indian reservations, and by a lack of support for individuals who would choose to forge stronger law enforcement ties.

The benefits of cooperative agreements are sufficiently strong that the Federal Government should encourage and provide incentives for the development of law enforcement cooperation among states, counties and tribes. Section 202 is modeled after a successful Wisconsin program that provides specific funding for joint tribal-state law enforcement efforts. Wis. Stat. § 165.90 provides for state grant funds to joint county-tribal law enforcement plans. This program has been evaluated as very successful in improving reservation law enforcement in Wisconsin. See, David L. Lovell, Senior Analyst, Wisconsin Legislative Staff, *Wisconsin's County-Tribal Law Enforcement Program,* (June 27, 2000).

NCAI would like to emphasize that cross-deputization agreements are not the only forms of cooperation and may not be appropriate in all locations. Another form is the mutual aid agreement, where the parties pledge to respond to requests for assistance in carrying out their respective law enforcement activities, but have this authority only on specific requests. In addition, there are also very important agreements that cover specific issues such as extradition, the execution of search and arrest warrants, and hot pursuit across jurisdictional boundaries.

---

[4] Carole Goldberg-Ambrose, *Planting Tail Feathers: Tribal Survival and Public Law 280* (UCLA American Indian Law Studies Center, 1997), p. 12.

In this vein, NCAI also strongly supports Section 302, which would create more flexibility in training tribal police officers. Experience has shown that cooperation is enhanced when state and tribal police officers have similar training at the same facilities. In fact, many of the cooperative agreements require that tribal officers train at state police academies. The BIA's training requirements become a duplicative barrier to recruiting and retaining tribal police officers. Instead, BIA training should be designed to supplement locally available police training.

Title III—Empowering Tribal Justice Systems

Sections 301 and 302 are extremely important provisions to eliminate barriers to law enforcement in Indian country. Special law enforcement commissions have long been available to tribal police, but the BIA has withheld the training and granting of commissions for bureaucratic reasons. As noted above, Section 302 addresses a severe problem that tribes have faced in recruiting and training police officers. The BIA trains police on an irregular basis at only one facility in New Mexico. The long distances are a barrier to recruitment, and the training is often duplicative of the training that tribal officers must receive under state-tribal agreements. The BIA should offer the unique "Indian country" components of training as a supplement to locally available training that meets National Peace Officer Standards.

Section 304 is also critically important. Criminal information databases are a fundamental tool of law enforcement. Tribal police are regularly denied access to the NCIC, although the Violence Against Women Act of 2005 has specifically authorized tribal access. The inability to check for criminal history compromises the safety of tribal police officers, and the inability to check for outstanding warrants and to enter information about fugitives undermines the entire national law enforcement network.

Section 305 would extend tribal sentencing limitations under the Indian Civil Rights Act to provide for appropriate sentences for more serious offenders. In the original 1968 law, tribal sentencing authority was limited to 6 months or $500. In 1986, the authority was expanded to 1 year or $5000. A 2003 report of the Native American Advisory Group to the U.S. Sentencing Guidelines Commission points out the disparity between tribal sentencing authority and the sentences that are imposed by the Federal Government for crimes committed under the Major Crimes Act. Assaults comprise the greatest percentage of crimes prosecuted under the Major Crimes Act, and the average federal sentence for Indians prosecuted for assault is three years. Because U.S. Attorneys rarely prosecute any crime in Indian country that is not a very significant assault, there is a large gap between the maximum sentencing authority of tribes and the average sentence for the least serious crime that is prosecuted by the Federal Government.

The key to this provision is that it would permit tribes to house prisoners at the nearest appropriate federal facility. Most tribes do not have the resources or facilities for longer term incarcerations and need the Federal Government to house violent criminals. We strongly support this aspect of Section 304. Overall, we need to have further discussion with tribal leaders before we can completely endorse this provision.

Another aspect of the Indian Civil Rights Act deserves consideration. The Act requires Indian tribes to provide juries to anyone accused of an offense punishable by imprisonment. The federal Constitution only recognizes such a right for persons subject to a term of imprisonment for "serious offenses," which primarily refers to non-petty offenses, or those offenses which carry a prison term of greater than six months. The requirement of a jury trial for petty offenses is an unnecessary burden on tribal justice systems. In tribal courts with limited budgets, savvy defendants use this provision to gain dismissal of otherwise meritorious prosecutions.

Title IV—Resources for Tribal Justice Programs

NCAI has long advocated for increased funding for law enforcement in Indian country because of the public safety crisis. Basic law enforcement protection and services are severely inadequate for most of Indian country. For example, a recent Bureau of Indian Affairs analysis indicates that in BIA Law Enforcement, 1,153 officers are needed but it has only 358. The gap is 795 officers (69 percent unmet need). In Tribal Law Enforcement—3,256 officers are needed but tribes have only 2,197. The gap is 1,059 officers (33 percent unmet need). Total need is 1,854 law enforcement officers. To put this in perspective, these 2,555 Indian country law enforcement officers make up about 0.004 percent of the total of 675,734 state, city and county law enforcement officers in the United States, yet they patrol approximately 2 percent of the landmass of the United States and 1 percent of the population.

Increasing law enforcement funding is a top priority. We generally support the efforts to reauthorize the programs in this title, but will need time to review the de-

tails. As mentioned above, there is a need to streamline the funding available through the Department of Justice. DOJ law enforcement funds are divided up into many competitive grants for specific purposes. Department of Justice funding should be streamlined into a single funding vehicle that would be negotiated on an annual basis and made more flexible to meet local needs.

Section 407 is particularly important to support the development of the Juvenile Justice programs in Indian Country. There is a growing consensus among both tribal leaders and national justice system analysts that non-violent juvenile offenders should rarely be placed in detention. They need to stay in school and get more monitoring and mentorship. Our goal is not to put more Indians in jail and create more criminals, but to rehabilitate offenders so they can play a productive role in our communities. This will also be much more cost-effective, and the place to start is at the juvenile level. Upon our initial review, we may request that this program be expanded and created as a specific set-aside for tribal programs.

Title V—Indian Country Crime Data Collection and Information Sharing

Crime data is a fundamental tool of law enforcement, but for decades the Bureau of Indian Affairs and the Department of Justice have never been able to coordinate or accurately report on crime rates and prosecution rates in Indian country, making it extremely difficult to review their performance. In addition, it becomes very difficult to discern trends, set enforcement priorities, and formulate budget requests without crime data. This title would require all federal law enforcement officers responsible for investigating and enforcing crimes in Indian country to coordinate in the development of a uniform system of collecting and reporting data.

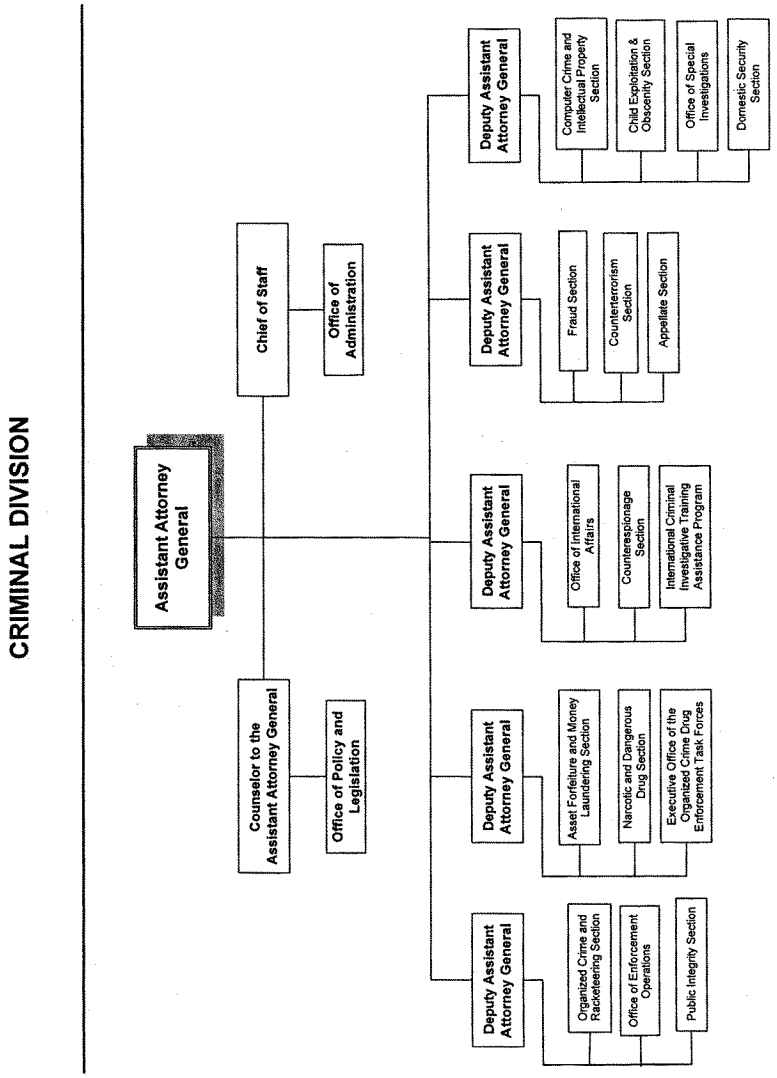
This provision should not allow any wiggle room. Congress should require that the Bureau of Indian Affairs and the Department of Justice devise a "Tribal Category" and coordinate to produce Indian country crime data and statistics comparable to data collected from state law enforcement by the Bureau of Justice Statistics. This effort should include state and county crime data from P.L. 280 and similar jurisdictions.

Title VI—Domestic Violence and Sexual Assault Enforcement and Prevention

NCAI will withhold comments on this section until we have a further opportunity to consult with tribal leaders and the Indian women's organizations that provide advocacy and services to victims of domestic violence and sexual assault.

Conclusion

Law enforcement has been the leading concern of tribal leaders throughout the country for at least the last five years that priorities have been measured by the BIA Budget Advisory Committee, and probably for much longer. NCAI strongly encourages Congress to take action on all of the fronts that we have identified above. Taken together—an improvement in the federal response, an increase in state-tribal cooperation, enhancements to tribal authority, and maximizing law enforcement resources—we can dramatically change the environment for criminal activity on Indian reservations. Our goal is to send a new message that the law will be vigorously enforced, and thereby create a deterrent to crime on Indian lands. This effort will bring great benefits to Indian communities and our neighbors in public safety, but also in health, productivity, economic development, and the well-being of our people. We thank you in advance, and look forward to working with you to move forward on the legislation as quickly as possible.



The CHAIRMAN. Mr. Garcia, thank you very much. Thank you for your leadership, and we appreciate your being here today.

Next we will hear from Gretchen Shappert, who is the U.S. Attorney and I believe appearing on behalf of the U.S. Justice Department.

STATEMENT OF HON. GRETCHEN C. F. SHAPPERT, U.S. ATTORNEY, WESTERN DISTRICT OF NORTH CAROLINA, U.S. DEPARTMENT OF JUSTICE

Ms. SHAPPERT. I am, thank you. I want to thank you, Mr. Chairman and Madam Vice Chair. I want to also thank the Committee

and Senator Burr for his kind remarks. I also wanted to thank President Garcia for acknowledging the death of a law enforcement officer from the Eastern Band of Cherokee Indians, who was gunned down in his service and duty. It reminds all of us of just how serious our obligations are to law enforcement.

So it is a privilege to be with you today.

I am the U.S. Attorney from the Western District of North Carolina. I am also Chair of the Native American Issues Subcommittee of the Department of Justice. I serve on the Attorney General's advisory Committee in that capacity.

I have worked hard in my own district and with colleagues across the Country to provide effective law enforcement in Indian Country. In my district, we have had the opportunity to work with the Eastern Band of Cherokee Indians, the largest federally-recognized tribe in the eastern half of the United States, with a membership of over 13,000. We have established a close working relationship in my office with the Eastern Band of Cherokee Indians, and together with the FBI, National Park Service, the Bureau of Indian Affairs and the Cherokee Indian Police Department, we have worked hard in Indian Country to combat particularly violent crime.

My experience as Chair of the Native American Issues Subcommittee has also helped me in my work in my district, and to work with my colleagues in our capacity as Federal law enforcement to develop policies in Indian Country.

In an effort to ensure more effective coordination and communication, especially in the upcoming transition period, the Department's tribal liaisons, U.S. Attorneys and representatives of the Department of Justice met earlier this month in Rapid City, South Dakota, with representatives of the nine tribes in South Dakota to discuss problems in Indian Country. As you are aware, the tribal liaisons, the Assistant U.S. Attorneys who work in Indian Country, have the key responsibility to identify and respond to the needs of the distinct tribes in their districts.

In our meeting, we had a chance to engage in a listening session and hear from representatives of the tribes in order to improve our meeting of our responsibilities in Indian Country.

While the Department does not comment on proposed legislation, I would, however, like to highlight a few areas of concern that we have with the proposed draft legislation. The Department is committed to improving Indian Country crime data. However, we oppose the concept of requiring the publication and disclosure of declination reports. While significant Indian Country cases are primarily handled in the Federal courts, caution should be used when comparing Indian Country statistics to other Federal statistics. As was emphasized by my colleague, United States Attorney Diane Humetewa, when she addressed this Committee, declination does not necessarily mean that a case will not be prosecuted. Declination may mean that the case is actually reassigned to another jurisdiction or another forum, that there will be additional work-up in that prosecution, or that perhaps a crime has not been committed.

By requiring United States Attorney offices and other investigative agencies to prepare a detailed written report that contains in-

formation about an investigation that was either declined or terminated, the legislation would create potentially discoverable material outlining weaknesses in a subsequent criminal case.

The Department also opposes the establishment of an office of Indian crime in the Criminal Division of the Department of Justice. While the Department recognizes and appreciates concerns about the prosecution of crimes in Indian Country, our concern is that the formation of another unit in the Criminal Division will remove critical resources from Indian Country and locate them in Washington, D.C., when in fact they are needed to prosecute crimes in Indian Country. We are concerned that that will create a significant gap in experience in our prosecution of crime in Indian Country.

We also are concerned about permitting tribal courts to direct offenders into the Bureau of Prisons for serving of their sentences, as opposed to in detention facilities run by the BIA.

For purposes of maintaining family ties and to effect an optimal re-entry back into the community after release, the Department of Justice believes that the incarceration of tribal court offenders is best handled by local jurisdictions and BIA. The Bureau of Prisons attempts to designate an inmate to the appropriate security level within 500 miles of their home. However, due to over-crowding and population pressures, many individuals are located in facilities far from where they live. This will reduce their ability to maintain close ties with their communities and will limit the number of visits by family and friends when they are housed in a Bureau of Prisons facility.

Mr. Chairman, Madam Vice Chairman and members of the Committee, while the Department does, as I indicated, not comment on legislation, I will be happy at the appropriate time to try to answer any of your questions. Thank you very much.

[The prepared statement of Ms. Shappert follows:]

PREPARED STATEMENT OF HON. GRETCHEN C. F. SHAPPERT, U.S. ATTORNEY, WESTERN DISTRICT OF NORTH CAROLINA, U.S. DEPARTMENT OF JUSTICE

Mr. Chairman, Madame Vice-Chair and members of the Committee:

My name is Gretchen Shappert. I am the United States Attorney for the Western District of North Carolina, and the chair of the Native American Issues Subcommittee of the Attorney General Advisory Council. My fellow U.S. Attorneys and the Department of Justice ("the Department") as a whole share the Committee's goal of improving law enforcement in Indian Country. We appreciate your highlighting this important issue and I thank you for the opportunity to testify today. We look forward to working with the Committee to achieve this goal.

I have worked hard in my own district and with colleagues across the country to provide effective law enforcement in Indian Country. In my district, I have had the opportunity to work closely with the Eastern Band of Cherokees, an Indian tribe numbering over 13,000. We have established a close working relationship, and I am proud of what we have accomplished together. For example, my office has seen a number of criminal defendants sentenced in federal court for crimes committed in Indian Country, including several serious domestic violence cases. This was the result of the excellent work of federal law enforcement agencies, including the Federal Bureau of Investigation (FBI) and the National Park Service, and our partners in the Cherokee Indian Police Department. Because of this cooperation, we were able to investigate and to successfully prosecute these federal offenses which occurred in Indian Country.

That experience has benefited my service as Chair of the Native American Issues Subcommittee (NAIS), the oldest subcommittee of the Attorney General's Advisory Committee (AGAC). The NAIS consists of U.S. Attorneys from across the United States who have significant amounts of Indian Country in their districts. The purpose of this body is to develop policies for consideration and approval by the Attor-

ney General pertaining to the establishment and development of effective law enforcement in Indian Country.

In an effort to ensure more effective coordination and communication, especially in the upcoming transition period, the Department's tribal liaisons and NAIS met jointly in Rapid City, South Dakota earlier this month. As the Committee knows, tribal liaisons are the Assistant United States Attorneys ("AUSAs") who are responsible for coordinating Indian Country relations and prosecutions. The tribal liaisons work diligently to identify and respond to the needs of the distinct tribes within their districts. Our meeting included a visit to the Pine Ridge reservation where the NAIS, tribal liaisons, tribal leaders and law enforcement officers were able to discuss some of the important matters affecting that particular tribe, including the need for additional law enforcement resources and the importance of community involvement in solving the difficult social issues that often accompany criminal activity. I also have participated in numerous national and regional tribal conventions, training sessions, symposiums and events. At those meetings, I have regularly provided my direct phone number for those who need assistance with an issue affecting Indian Country.

In addition to my own work, let me describe the overall successes of my colleagues in the U.S. Attorney community and the Department generally. The Department's dedicated public servants are successfully prosecuting cases in Indian Country. Approximately 25 percent of all violent crimes investigated by U.S. Attorneys nationally occur in Indian Country. In addition, in Fiscal Year (FY) 2006 the Department's efforts in Indian Country have been above average across the board. For example, in FY 2006, the Department filed 606 cases against 688 defendants in Indian Country, which is nearly 5 percent higher than the average since 1994 of 580 cases against 643 defendants per year. In FY 2006, 82 cases went to trial, 13.8 percent more than the average of 72 cases each year since 1994. The conviction rate for Indian Country prosecutions in FY 2006 was 89.4 percent, slightly higher than the 86.2 percent average since 1994. Eighty percent of those guilty of violent crime in Indian Country were sentenced to prison in that year. The number of defendants convicted of violent crimes receiving sentences greater than 61 months has also increased from 31 percent on average to 36 percent in FY 2006.

The FBI also plays a significant role in Indian Country. Even with the heightened demands on the FBI from terrorism investigations, Indian Country law enforcement remains important to the FBI. The FBI has increased the number of agents working Indian Country cases by 7 percent since 2001.

Most recently, the FBI has initiated a Joint Indian Country Training Initiative with the BIA to sponsor and promote training activities pertaining to drug trafficking. In FY 2007, the FBI provided more than 30 training conferences for local, tribal, and federal investigators regarding gang assessment, crime scene processing, child abuse investigations, forensic interviewing of children, homicide investigations, interviewing and interrogation, officer safety and survival, crisis negotiation, and Indian gaming. Furthermore, the FBI's Office for Victim Assistance dedicates 31 Victim Specialists to Indian country, representing approximately one third of the entire FBI Victim Specialist workforce.

Also, the FBI recently deployed the Law Enforcement National Data Exchange initiative (N–DEx) system with participation from tribal governments. N–DEx is a criminal justice information sharing system that will provide nationwide connectivity to disparate local, state, tribal, and federal systems for the exchange of information. The N–DEx system will provide law enforcement agencies with a powerful new investigative tool to search, link, analyze and share criminal justice information such as, incident/case reports, incarceration data, and parole/probation data on a national basis to a degree never before possible. The vision of the Law Enforcement N–DEx is to share complete, accurate, timely and useful criminal justice information across jurisdictional boundaries and to provide new investigative tools that enhance the Nation's ability to fight crime and terrorism. The Oneida Nation police department is the first tribal law enforcement agency (LEA) to participate in the N–DEx project. Currently, the Oneida Nation police department contributes data by manually entering incident information in the N–DEx system. The N–DEx Program office is developing relationships with other tribal agencies to submit data to the N–DEx system. Toward that end, the office has met with various tribal LEAs, including Paiute, Mashantucket Pequot, Mohegan, Eastern Band of Cherokee, and Navajo Tribes. The N–DEx Program office is dedicated to creating a relationship with Tribal LEAs to assist in the defense against crime and terrorism.

My colleagues at the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) have also been committed to reducing violence in Indian Country. ATF has assisted Tribal Governments in combating firearms and gang violence through the Project Safe Neighborhoods (PSN) initiative. Through the creation of grassroots partner-

ships in those tribal communities where gun crime has been identified as a problem, ATF vigorously enforces existing firearms laws to prevent the violent criminal misuse of firearms. ATF has entered into Memorandums of Understanding (MOUs) with several tribes in order to increase cooperation with local tribal law enforcement and address the problem of gun violence in tribal areas. ATF also works closely with tribes in providing training and instruction on firearms and gang related issues. This training includes information on domestic violence and its impact on firearms possession.

Furthermore, the Drug Enforcement Administration (DEA) actively investigates significant Drug Trafficking Organizations (DTO) operating in, and within proximity to Indian Country. One of the investigative techniques DEA employs on reservations is wire intercepts. A dramatic example of the success resulting from this method occurred on the Wind River Reservation in Wyoming. The Wind River Reservation covers an area of over 3,500 square miles, only slightly smaller than the state of Connecticut. Wyoming law enforcement did not have the authority to conduct investigations on the reservation and Bureau of Indian Affairs investigators had no jurisdiction beyond the reservation's boundaries. DEA was able to bridge this gap working with both of these law enforcement organizations, using wire intercepts to investigate methamphetamine trafficking onto the reservation. The investigation uncovered an organization with international ties responsible for trafficking over 100 pounds of methamphetamine to Indians at Wind River. The case resulted in eight indictments and extended to multiple judicial districts. This investigation is just an example of the successful cooperation of tribal, state, and federal law enforcement to improve safety and security in Indian Country.

In addition, as part of the effort to strengthen the tribal response to crime in Indian Country, our Office of Justice Programs (OJP) spearheaded Interdepartmental Tribal Consultation, Training and Technical Assistance Sessions held in FY 2007 and FY 2008. OJP's next session will begin on August 18 in Billings, Montana. Another example is the work of OJP's National Institute of Justice, which, in response to Congressional direction, is developing a program of research on violence against American Indian and Alaska Native (AIAN) women.

Finally, the Deputy Attorney General recently established and convened the Advisory Council on Tribal Justice Issues within the Department to periodically review and discuss issues and major actions affecting the Department's work in Indian country. The goal of the Council is to coordinate the actions of the many components at the Department involved in the issues and activities impacting Indian country. The Council will provide a forum for these components to consider avenues and share ideas that would strengthen the Department's dialogue with tribal governments about law enforcement and policy issues affecting Indian country.

Now, let me turn to some areas of interest to the Committee. We join the Committee's efforts to strengthen the important relationship between the United States and those living in Indian Country. Federal law enforcement officers share a great responsibility with state and tribal law enforcement officers in responding to crimes in Indian Country. The Department shares the Committee's desire to increase law enforcement accountability in Indian Country through improved data collection and by leveraging tribal resources. The Department supports the effort to clarify the law with respect to tribal Special Assistant U.S. Attorneys. Additionally, we believe that it is important to ensure that there is a coordinated Department response to law enforcement needs in Indian Country. The Department is also committed to helping increase cooperation between tribal, state and local governments through our cross-deputization program and the re-authorization of various grant programs. Finally, we also share the Committee's desire to strengthen the tribal response to crime in Indian Country through training, additional resources and improved access to information.

While the Department does not comment on proposed legislation, I would, however, like to highlight a few general areas of concern for the Department.

Declination Reports

The Department is committed to improving Indian Country crime data; however, we oppose the concept of requiring the publication and disclosure of declination reports. While significant Indian Country cases are primarily handled in federal courts, caution should be used when comparing Indian Country statistics to other federal statistics. As was emphasized by my colleague, U.S. Attorney Diane Humetewa, previously before this Committee, declination rates do not show the full picture of the Department's actions in a given case. Indeed, "declination" does not necessarily mean that the case will not be prosecuted. "Declination" may mean that the case will be prosecuted in a different forum, that additional work-up is needed or that no crime was committed. By requiring U.S. Attorney's Offices and other in-

vestigative agencies to prepare a detailed written report that contains information about why an investigation was either declined or terminated, the legislation would create potentially discoverable material outlining weaknesses in any subsequent criminal case.

Furthermore, there is a significant difference in the type of cases that are often found in Indian Country. Indian Country cases often include reactive cases, such as assaults, robberies or homicides. In many instances, because of the unique nature of Indian Country, victims and witnesses may not be willing or able to come forth to testify against a defendant. Also, much time may pass before a victim comes forth, making the gathering of evidence more difficult than in a typical case. In contrast to those reactive cases, which often rely on the cooperation of lay witnesses, the typical federal case involves a proactive investigation by law enforcement personnel that may take months or years to complete and which will include wiretaps, document collection, and extensive grand jury proceedings. The typical federal case is therefore far less likely to be declined or fail to meet the very high burdens placed on the prosecution in a criminal case.

Establishment of an Office of Indian Crime in the Criminal Division at the Department of Justice

The Department strongly opposes the concept of establishing an Office of Indian Crime in the Criminal Division at the Department of Justice. While the Department understands and appreciates the concerns related to the prosecution of crimes in Indian Country, creating an office within the Criminal Division could have the practical effect of inhibiting the Department's efforts to combat violent crime. Foremost, creation of an Indian Crime office in the Criminal Division would take valued criminal justice experts away from the field. Currently, the Department's most experienced professionals on Indian issues serve in Indian Country, where their expertise has the greatest impact. Staffing an office centralized in Washington, D.C. would necessarily precipitate transferring many of these experts out of Indian Country, resulting in a significant gap of experience in the field.

Within the Criminal Division, specific criminal matters are handled by attorneys with experience in that subject matter. For example, gaming matters related to Indian Country are handled by our Organized Crime and Racketeering Section (OCRS), matters involving child pornography on Indian Country are handled by the Child Exploitation and Obscenity Section (CEOS), and matters involving violent crime on Indian Country are handed by the Gang Squad (GS). The proposed office would risk removing attorneys from their subject matter expertise and have the unintended effect of hampering the Criminal Division's efforts to support the prosecution of crimes in Indian Country.

The Office of Tribal Justice and Tribal Liaisons

The Office of Tribal Justice (OTJ) has been effectively serving Indian Country for many years. OTJ was established to provide a single point of contact within the Department of Justice for meeting the broad and complex Department responsibilities related to Indian tribes. The Office facilitates coordination between Departmental components working on Indian issues, and provides a permanent channel of communication for Indian tribal governments with the Department of Justice. The Department believes that the Attorney General is in the best position to evaluate and adjust the staffing and roles of those offices internally, as needed to maintain the appropriate allocation of resources, so the general proposal to elevate OTJ within the Department is unnecessary.

Along the same lines, the Department strongly opposes the codification of the tribal liaison's responsibilities. As noted above, the Department fully recognizes the importance of tribal liaisons and currently has 44 tribal liaisons in districts with some Indian Country within their jurisdiction. Tribal liaisons have been effectively serving U.S. Attorney's Offices since that program began in 1995. Each tribal liaison is an expert in Indian Country crimes, but each U.S. Attorney's Office handles varying types of crimes and in differing numbers. For example, in districts where white collar crimes such as embezzlement and fraud are more prevalent the tribal liaison may focus on the Indian gaming industry. Other districts have more cases and matters dealing with violent crime. This diversity would make the suggested codification of the duties of tribal liaisons difficult and it would greatly reduce the discretion of each U.S. Attorney's Office to ably serve the Indian community in their district. The Department believes that each individual district is in the best position to evaluate the nature and volume of crimes within the district and to appropriately allocate resources. It is essential that U.S. Attorneys maintain this discretion in tailoring the role and scope of the tribal liaison program in their districts.

Expanding Tribal Court Sentencing Authority and BIA Arrest Authority

The Department strongly opposes the concept of permitting tribal courts to direct offenders convicted by tribal courts to serve their sentences in federal prisons. The Bureau of Prisons (BOP) is responsible for the incarceration of inmates who have been sentenced to imprisonment for federal crimes. Based on continuing federal law enforcement efforts and limited resources for construction of new institutions, federal prisons continue to be very crowded. System-wide, BOP is operating at 37 percent above its capacity, and it does not expect crowding to decrease substantially in the next few years. Crowding is especially significant at high-security institutions (operating at 50 percent above capacity) and medium-security institutions (operating at 47 percent above capacity), where the majority of violent offenders are confined.

For purposes of maintaining family ties and to effect an optimal reentry back into the community after release, the Department believes that the incarceration of tribal court offenders is best handled by local jurisdictions and BIA. The BOP attempts to designate an inmate to the appropriate security level institution that is within 500 miles of his or her release residence. Nevertheless, due to the location of BOP institutions and population pressures, this is not always possible; and many inmates are much further than 500 miles from their homes and families. BOP policy requires that inmates remain at an institution for at least 18 months with clear conduct before consideration of a transfer closer to their release residence. In all likelihood, if transferred to BOP facilities, tribal court offenders with short sentences would remain at their designated BOP institution for their entire sentence. Visits by family and friends to these tribal offenders would be severely restricted due to the great distance between the BOP institution and their home, and these tribal offenders would not be afforded the opportunity to participate in tribal reentry programs currently operating near the reservation out of the tribal jails.

The proposals to expand tribal court sentencing authority to up to three years of imprisonment and to permit BIA law enforcement officers to make arrests for any misdemeanor crimes are significant changes in the current legal and law enforcement framework. While recognizing the purpose behind these proposals, as a former defense attorney, I am concerned about the impact of these provisions on defendants' constitutional rights and legal protections. It would be quite unusual, for example, for law enforcement officers to have blanket arrest authority for misdemeanors not committed in the officer's presence. The Department has had insufficient time to evaluate these proposals, but we will thoroughly and careful examine them.

Conclusion

Mr. Chairman, Madame Vice Chair, this concludes my statement. While the Department does not comment on proposed legislation, I will be happy to attempt to answer any questions you may have.

The CHAIRMAN. Thank you very much, Ms. Shappert. We appreciate your being here.

Next we will hear from Kelly Stoner, and Ms. Stoner, thank you very much for being with us as well.

STATEMENT OF KELLY GAINES STONER, DIRECTOR, NATIVE AMERICAN LEGAL RESOURCE CENTER AND CLINICAL PROGRAMS, OKLAHOMA CITY UNIVERSITY SCHOOL OF LAW

Ms. STONER. Good morning, Mr. Chairman, Madam Vice Chair and members of the Committee. I am Kelly Stoner, and I would like to thank the Committee for inviting me to participate in today's hearing.

It is an honor to work with you all on this important issue. The Committee should be congratulated on their work regarding the proposed legislation and for taking the time and making the effort to seek meaningful input from tribal nations who, after all, have the ultimate interest in this issue.

As the Director of the Native American Legal Resource Center and Clinical Programs at Oklahoma City University School of Law, I have gained experience working with tribes in Oklahoma and

throughout the region on criminal and civil jurisdictional issues in Indian Country. Prior to joining the faculty at Oklahoma City University, I served as the tribal prosecutor for the Spirit Lake Nation in Fort Totten, North Dakota, for over eight years. In all, I have been practicing law in Indian Country for nearly 20 years. I teach classes and lecture nationally on these topics.

Successful implementation of this proposal will depend upon three key issues which directly are tied to a showing of respect for the sovereign rights of tribal governments. First, a government to government approach must be utilized when dealing with Indian nations. A government to government approach ensures the proper deference for both sovereigns and maintains a focus on the thread of commonality that is important to both sovereignties, here, victim safety and criminal accountability.

Second, continued consultation with tribal leaders, tribal officials and tribal communities is critical. Engaging in meaningful tribal consultation and obtaining tribal input during the process will facilitate the implementation of these proposed measures.

Third, and not least by any means is funding. Funding should be included in each section of the proposal. As this Committee is well aware, each tribe is unique with respect to custom and tradition, as well as tribal resources that are available.

The topic I would like to focus on today for my oral presentation is Federal accountability. As I stated earlier, I was a prosecutor at Spirit Lake for several years. I referred personally some severe child abuse and child sexual abuse to the United States Attorney. Many times I didn't know what happened to those referrals. Sometimes, a year or so later, I would get a denial letter. In that year's time, evidence grew cold, witnesses moved out of the jurisdiction and there was a high rate of turnover in tribal law enforcement. I prosecuted some of these cases in tribal court, but IGRA severely limited the sentencing power of the tribal court.

Federal investigators and prosecutors need to be held accountable through an annual reporting process as set forth in this proposal. If the Department of Justice feels that reporting is too cumbersome or violates certain confidentiality statutes, perhaps a government to government consultation with tribes in the way of a scorecard or, if you will, a report card, that allows tribes to give meaningful input with respect to the tribes' opinion as to the effectiveness of the United States Attorneys' efforts in their areas. In my opinion, in Indian Country, there is an extremely high Federal declination rate, with no explanation provided to tribes. I never received a file with any information when I received a declination letter. And there is no accountability.

In the case of Federal declinations involving a Native American victim and a non-Indian accused, no other population in the United States is told that no criminal justice consequences will be imposed on the non-Indian rapist, child molesters and murderers. These perpetrators continue to walk free in tribal communities. And these non-Indian perpetrators are free to re-offend and actually do re-offend, because they know that nothing will happen to them.

Tribes have the right to know why or how these declination decisions were made. I agree with the Chairman from Standing Rock,

the tribes have the right and should receive the entire file when a declination is made.

I just recently facilitated two national roundtables funded by the Office of Violence Against Women. The topic that was of focus was domestic violence in Indian Country. These roundtables came about because Native people have to find some way to hold non-Indian abusers accountable for their actions in Indian Country.

I would like to thank you for inviting me to testify, and I am happy to answer any questions the Committee might have.

[The prepared statement of Ms. Stoner follows:]

PREPARED STATEMENT OF KELLY GAINES STONER, DIRECTOR, NATIVE AMERICAN LEGAL RESOURCE CENTER AND CLINICAL PROGRAMS, OKLAHOMA CITY UNIVERSITY SCHOOL OF LAW

Introduction

Good morning, Mr. Chairman, Madam Vice Chair, and members of the Committee. I am Kelly Stoner, and I'd like to first thank the Committee for inviting me to provide testimony for today's hearing. It is an honor to work with all of you on this important issue. The Committee should be congratulated on its work for the proposed legislation and for taking the time and making the effort to seek meaningful input from tribal nations who have the ultimate interest in securing their nations. Conducting listening sessions with tribal leaders, tribal officials, and professionals who work in Indian Country takes a necessary first step towards meaningful change and adequate deterrence of crime in Indian Country, and I thank the Committee for its thoughtful work.

As the Director of the Native American Legal Resource Center and Clinical Programs at Oklahoma City University School of Law, I've gained experience working with tribes in Oklahoma and throughout the region on criminal and civil jurisdictional issues in Indian Country. Prior to joining the faculty at Oklahoma City University, I served as the tribal prosecutor for the Spirit Lake Dakotah Nation. I have been practicing law in Indian Country for nearly 20 years, and have unique academic, clinical and tribal government experience with crimes and Domestic Violence issues in Indian Country. Additionally, I am a national lecturer for both the Office on Violence Against Women of the United States Department of Justice and the American Bar Association's Commission on Domestic Violence, serving as a speaker for training sessions nationwide, and as a member of several national roundtables focused on addressing crime and Domestic Violence in Indian Country.

The Native American Legal Resource Center (NALRC) at the Oklahoma City University School of Law serves as the academic law and policy center for students interested in Indian law and policy. Additionally, the NALRC provides a variety of services to tribal governments across the nation, including tribal court planning and development assistance, self-governance assistance in developing tribal codes and constitutions, and domestic violence services for tribal courts, tribal justice systems and tribal judges, as well as individual Native American victims of domestic violence, including representation and victim advocacy services. Our projects are funded by public and private grants.

The Mission of the Native American Legal Resource Center is:

> The Native American Legal Resource Center provides capacity building services to tribal communities and creates opportunities for students, faculty, staff and the broader University Community to utilize knowledge and resources to serve the needs of Indian Country in a culturally appropriate and efficient manner for a maximum positive impact.

Key Concepts for Success

Historically, tribes were sovereign nations exercising plenary powers over any individual who came within tribal boundaries. Today, tribes maintain their status as sovereign nations, although some formidable limitations have been placed upon the exercise of tribal sovereign powers by federal law. While comprehensive tribal sovereign powers to assert criminal and civil jurisdiction over all individuals located in Indian Country should once again be recognized by the states and the Federal Government, the current status of the law and the government-to-government relationships between the Federal Government, state governments and tribal governments frustrates meeting that ultimate goal.

The proposed legislation goes far to identify and address many of the overlapping issues in the relevant federal case law and federal statutes. By infusing the implementation process with the following principles, the Committee can increase the likelihood of the success of the operation of the proposed legislation.

First, a government-to-government approach should be included in the preamble of the proposed statute. As sovereign nations, tribal governments have the ultimate interest in executing sovereign responsibilities and ensuring the safety of anyone who comes within tribal boundaries. A government-to-government approach ensures the proper deference for both sovereigns and maintains focus on the thread of commonality each must address, which is the safety of victims and criminal accountability issues.

Second, continued consultation with tribal leaders, tribal officials and tribal communities is critical. Engaging in meaningful tribal consultation throughout the process will ensure the success of the operation of the proposed legislation. Gathering tribal input strengthens new programs, reduces unneeded bureaucratic barriers in the system, and facilitates transition of new ideas in the implementation of new initiatives.

Third, funding should be included in each section of the proposal. Because of critical under funding of tribal programs, additional federal mandates without funding to carry them out present insurmountable burdens on tribes that may suffer from chronically limited funding.

Federal Accountability and Coordination Issues

Holding federal investigators and federal prosecutors accountable in tribally referred cases is a key concern of tribes across the nation, as the lack of accountability of the current system frustrates maintaining law and order. For instance, when I was a tribal prosecutor for the Spirit Lake Dakotah Nation in Fort Totten, North Dakota, I would make referrals to the federal prosecutor regarding child abuse and sexual assault cases. Many times, I would never know what happened to those referrals. I might prosecute the case in tribal court but the sentencing provisions set out in the Indian Civil Rights Act, and the lack of adequate tribal detention facilities made the convictions toothless. In some cases, I would receive a declination letter from the federal prosecutor a year or so after the referral, but in the span of that one year, evidence grew cold, key witnesses moved outside the tribal jurisdiction and could not be located. Adding to those challenges was the exasperatingly high rate of turn-over in tribal law enforcement. In my discussions with others at various trainings and conferences throughout the United States, I've found that my experience mirrors that of tribal prosecutors and law enforcement across the country. This is an area that needs Congress' attention for a solution.

Federal investigators and federal prosecutors need to be held accountable through an annual reporting process. Tribal leaders and the appropriate federal agencies should be given an update on the number of cases referred for investigation and prosecution, the number of declinations with details regarding the decision to decline to prosecute the case. Federal prosecutors should make the decision whether to prosecute quickly enough so that tribal prosecutors can continue with tribal court prosecution.

The proposal suggests that qualified tribal prosecutors be appointed to act as federal prosecutors for the purpose of prosecuting cases in Indian Country. The qualifications for a tribal prosecutor to engage in federal prosecution should equal but not exceed that of other federal prosecutors. This arrangement is currently in practice in some states with much success. For purposes of implementation of this legislation, tribal governments should be consulted, government-to-government, to have meaningful input on issues of hiring, salaries, office sharing and other common issues of both sovereigns sharing one position.

The proposed legislation requires each jurisdiction to appoint not less that one Assistant United States Attorney to serve as a tribal liaison between the federal prosecutor's office and the tribal governments in each district. Should there be resistance by tribes in working with the new appointee, thoughtful implementation and ensuring the liaison is educated with respect to the cultures, norms and practices of the tribal communities in the district will address those concerns. Tribal communities and tribal leaders should be consulted and kept informed as to the issues being addressed by the tribal liaison.

Tribal Access to National Criminal Information Databases

Tribes must be able to access and input data into the National Crime Information Center (NCIC) and other federal criminal information databases. The denial of access to these databases denies tribes access to critical criminal history on perpetrators. Precluding tribes from access to enter data into these databases sends a mes-

sage that tribes are somehow not responsible enough or capable of being properly trained to enter data into these systems. That message is incredulous and exacerbates the intention of the legislation to provide government-to-government forums for the comprehensive efforts of reducing crime in Indian Country. Further, all appropriate grants to provide funding to tribal governments for the building of infrastructure for implementation of these information systems should be authorized by the legislation.

Tribal Court Sentencing Authority

Tribes have struggled to keep tribal members and citizens safe in the wake of alarming crime statistics. This proposal addresses the issue of one federal limitation on tribal prosecution, the Indian Civil Rights Act. [1]

The Indian Civil Rights Act limits the criminal sentencing power of a tribe to one-year imprisonment or a fine of up to $5,000 or both. The proposed legislation increases those limitations to up to 3 years of imprisonment or a fine of up to $15,000 or both. This increase in prosecutorial and sentencing authority is a positive step towards arresting crime in Indian Country, but the new requirement for tribal governments to provide criminal defense counsel places additional mandates on tribal systems that may not have the resources to comply. The legislation should address funding concerns in all new mandates for tribal governments.

Another approach might be to engage government-to-government with tribes, giving each individual tribe the option of either operating under the current limitations of ICRA or under the proposed and expanded levels of ICRA. If a tribe elected to utilize the expanded sentencing parameters of the ICRA, funding should be made available for those tribes to use in employing public defenders, or tribes should be given access to resources funded by the federal agency for meeting the requirement of providing defense counsel.

Indian Country Crime Data—Tracking of Crimes Committed in Indian Country—Tribal Data Collection Systems

Without accurate data regarding criminal activity in Indian Country, it is hard to know the depth and scope of the problem in Indian Country. Even with the sobering statistics gathered by the Bureau of Justice and the Amnesty International Report, [2] the severity of the issue may be grossly underestimated. Without accurate data, all involved sovereigns may be unable to directly address the particular issues faced within each tribe's borders. Furthermore, federal agencies must have access to accurate data in order to provide tribes with necessary services and personnel to meet the challenges. The successful implementation of comprehensive tribal data gathering will depend in large part on a government-to-government approach to the issue, continued consultation with tribal leaders, tribal officials and tribal communities and an adequate source of funding to carry out this task.

Domestic Violence and Sexual Assault Prosecution and Prevention

National studies have consistently demonstrated that Native Americans are victimized at a rate 2.5 times higher than any other group. [3] A recent report established that at least 86 percent of the violators in sexual assault cases involving Native American women were non-Indian. [4] Pursuant to United States Supreme Court case law, tribes have no criminal jurisdiction over non-Indians. [5]

The Committee is proposing to establish a Federal felony for violations of tribal protection orders that meet due process standards. Given historical events among tribes, states and the Federal Government, and the declination rates of many federal offenses committed in Indian Country, the key to the successful outcome of this section of the proposal is tribal communication and federal accountability.

The Violence Against Women Act sets forth that full faith and credit should be given to all protection orders that meet certain requirements. Those requirements are:

1. The order was issued by a court that had subject matter jurisdiction over the matter;

2. The issuing court had personal jurisdiction over the parties pursuant to the issuing court's jurisdiction; and

---

[1] 25 U.S.C. Section 1301.
[2] *www.amnestyusa.org/women/maze/report.pdf* last visited January 11, 2008
[3] *www.ojp.osdoj.gov/bjs/intimate/ipv.htm* last visited on January 11, 2008.
[4] *www.amnestyusa.org/women/maze/report.pdf* last visited January 11, 2008.
[5] *Oliphant v. Suquamish Indian Tribe,* 435 U.S. 191 (1978).

3. The issuing court gave reasonable notice and an opportunity to be heard to the person against whom the order is sought. [6]

According to the Act, all orders, including tribal court orders that meet these criteria, are entitled to full faith and credit.

If the current proposal's intent is to make violation of a protective order a federal felony, but only in cases where the accused was provided defense counsel, the legislation should set forth clear language directing states that this measure in no way affects Section 106 of the Violence Against Women Act. Should tribes be concerned that the states may hesitate or refuse to give full faith and credit to tribal protection orders where defense counsel was not provided, then clarifying language will allay those concerns. The language should also set forth that tribes maintain tribal sovereign powers to prosecute Indian violators of tribal protection orders that occur in Indian Country. Additionally, funding should be tied to the proposed legislation to increase the effectiveness of this section.

Domestic Violence and Sexual Violent Offense Training

Oklahoma has a jurisdictional patchwork of tribal and non-tribal lands. It is not uncommon for a victim to call 911 for assistance only to be told that she lives on tribal land and must call the BIA. When the victim calls the BIA law enforcement, the victim is told that the act was committed on state land and she must call state law enforcement for assistance. Many Oklahoma tribes are moving towards cross-deputization agreements for tribal and local law enforcement to address these issues, but the complexities of the jurisdictional queries remain.

Alaska Natives are subject to confusing jurisdictional issues as well, and because of the remote nature of many Alaska Native villages, victims must wait many hours or even days before law enforcement arrives to conduct investigations. The result is a void that leaves many victims without protection.

Despite the fact that one out every three American Indian/Alaska Native women will be raped in her lifetime, many law enforcement officers working in Indian Country lack knowledge on properly gathering and preserving evidence in sexual assault cases, including both investigative techniques and directing the victim to medical or other facilities for proper sexual assault examination.

Law enforcement officers should be trained to work closely with tribal and/or local victim services agencies. Law enforcement officers should receive training to address complex jurisdictional issues, cultural norms and practices. Additionally, law enforcement officers must be trained to investigate offenses including sexual assault. Comprehensive training will increase conviction rates for domestic violence and sexual assault crime and may lead to prevention of those crimes. Funding for training law enforcement officers in Indian Country should be provided in the proposed statute.

Trainings need to be provided on a regional level to accommodate tribes with limited financial and human resources. Some tribes may need training and technical assistance tailored to their specific needs, so a technical assistance provider should be made readily available for tribes to contact for assistance. Trainings should be designed and delivered by individuals or agencies that have extensive experience working in Indian Country.

Thank you again for the opportunity to testify on this important issue. I am happy to answer any questions the Committee may have.

The CHAIRMAN. Ms. Stoner, thank you very much. I should have, as I did at the start of this hearing, indicated that you are the Director of the Native American Legal Resource Center and Clinical Programs at the Oklahoma City University School of Law. Thank you very much for being with us.

Mr. Walt Lamar is President and CEO of Lamar Associates in Washington, D.C., Mr. Lamar, you may proceed.

STATEMENT OF WALTER E. LAMAR, PRESIDENT/CEO, LAMAR ASSOCIATES

Mr. LAMAR. Mr. Chairman, Madam Vice Chair, Senator Thune, good morning.

[6] Violence Against Women Act, 18 U.S.C.A. §§2261–2266.

I very much appreciate the opportunity to offer my remarks regarding the draft Indian Law and Order Bill. By way of introduction, I am Walter Lamar, and enrolled member of the Blackfeet Nation of Montana and a descendant of the Wichita Tribe of Oklahoma. I am a former FBI special agent and the past deputy director of the Bureau of Indian Affairs Office of Law Enforcement Services.

At the risk of concentrating on the negative, I would like to set the context that puts us in this hearing today. It seems every two or three years there is a scathing report decrying the state of Indian Country public safety. Over and over, the symptoms of a broken system are reiterated; yet we remain where we were yesterday.

In a 1975 BIA law enforcement publication detailing history of Indian Country law enforcement can be found the following words: "Civilization has loosened, in some places broken the bonds which regulate and hold together Indian society and has failed to give people law and officers of justice in their place. Women are beaten and outraged, men are murdered in cold blood. The Indians are intimidated and preyed upon by the evil disposed; children are molested on their way to school, but there is no redress. It is a disgrace to our land. It should make every man who sits in the national halls of legislation blush. The effect of civil agents, teachers and missionaries are like the struggle of drowning men weighted with lead, as long as by the absence of law, Indian society is left without base." Bishop William Hobart Hare, quoted in an Indian Commission report dated 1877.

In the late 1930s, a BIA official reported to Congress that many characteristics of the Indian criminal justice system remained as they were at the turn of the century. Jails were so inadequate that judges rarely committed anyone.

Budget cuts for Indian Country law enforcement were so severe in the 1940s that by 1950, Senator J. Chandler Gurney, South Dakota, stated "They cannot have a dance at night because there is nobody to control the peace of the community." Indian Commissioner John R. Nicholls told the Senator that the situation in his State existed throughout Indian Country. "This is the lowest point in the history of law and order," Nicholls said.

Amazing how this all sounds so very familiar. Was it indeed the lowest point?

The Senate Committee on Indian Affairs is to be applauded for taking this affirmative step forward to ensure protection of Indian Country's citizens, visitors and residents. While this draft bill is a positive step, it is but a first step in addressing a very complex issue.

Section 2 of the draft bill entitled Findings; Purposes clearly encapsulates the devastating issues facing Indian Country that have been documented in report after report. A former tribal prosecutor and judge commented to me that this draft bill potentially represents a dream come true.

When dealing with a poorly-performing employee, a good manager will prepare a performance improvement report. I very much liken this draft bill to a performance improvement report for the Department of Justice and the Bureau of Indian Affairs, the Department of Interior. Public safety remains in a state of crisis. Most

of the tools outlined in the provisions of the draft bill are already in the hands of the Government agencies, so we must then ask, why are they not being used to their fullest potential? Is it for lack of will, understanding of the issues or simply a lack of concern? I know there exist examples for all three, but typically it boils down to the issue of funding and resources.

As an example, when I was the deputy director at BIA law enforcement over four years ago, we could count our headquarters staff on two hands. Little has changed since then. How can they possibly be expected to perform the monumental task at hand with less staff than it takes to run a fast food restaurant? Without attendant funding, the provisions of the draft bill will go simply unaddressed.

The draft bill serves to establish the necessary lines of communication and defines areas of required accountability to bring true public safety to Indian Country. I will offer a number of comments which will be submitted in my written testimony. However, I will state with regard to the BIA Office of Justice Services, considering the tremendous importance of law enforcement, the draft bill should address the need to elevate the Office of Justice Services to the Bureau of Justice Services and properly re-delegate the current Deputy Director position to a Director position.

Further, the Indian Law and Order Commission is potentially the strongest provision of the draft bill, and offers an opportunity to bring together top Indian Country experts to address the complex matters facing our tribal justice programs. However, the provision should encourage the consideration of Indian preference in commission selection.

Section 2, Findings; Purposes, reiterate the United States holds distinct legal, treaty and trust obligations to provide for the safety of Indian Country. The trust responsibility obligation is negated by Federal performance-based funding requirements of GPRA and PART. How can trust responsibility be effectively carried out when tribes are not provided sufficient funding to perform effectively and then are penalized and not provided additional funding? Only through needs-based funding initiatives can tribal law enforcement ever reach parity with their State and local counterparts.

Indian Country has the capacity to provide effective law enforcement which is demonstrated by the tribes that have financial resources to fund their public safety programs. So it is not a matter of if we can, it is a matter of the Federal Government meeting its obligation to provide the required funding and resources. It is my hope, my sincere hope that this intended legislation will give us that opportunity.

I wonder, I wonder how many lives were needlessly lost or harmed in Indian Country in the time that it takes to hold this hearing? Thank you very much.

[The prepared statement of Mr. Lamar follows:]

PREPARED STATEMENT OF WALTER E. LAMAR, PRESIDENT/CEO, LAMAR ASSOCIATES

Honorable Chairman and members of the Committee, good morning. I very much appreciate this opportunity to offer my remarks regarding the Draft Indian Law and Order bill. By way of introduction, I am Walter Lamar, an enrolled member of the Blackfeet Nation of Montana and a descendant of the Wichita Tribe of Oklahoma,

am a former FBI Special Agent and the past Deputy Director of the Bureau of Indian Affairs (BIA) law enforcement program.

It seems every two or three years there is a scathing report decrying the state of Indian country public safety. Over and over the symptoms of a broken system are reiterated, yet we remain where we were yesterday.

In a 1975 BIA law enforcement publication detailing the history of Indian country law enforcement are the following words:

> "Civilization has loosened, in some places broken, the bonds which regulate and hold together Indian society . . . and has failed to give people law and officers of justice in their place. . . . Women are beaten and outraged; men are murdered in cold blood; the Indians . . . are intimidated and preyed upon by the evil disposed; children are molested on their way to school . . . ; but there is no redress . . . . It is a disgrace to our land. It should make every man who sits in the national halls of legislation blush . . . . the effect of civil agents, teachers and missionaries are like the struggle of drowning men weighted with lead, as long as by the absence of law Indian society is left without base." (Bishop William Hobart Hare quoted in an Indian Commission Report dated, 1877)

In the late 1930's a BIA official reported to congress that many characteristics of the Indian criminal justice system remained as they were at the turn of the century. Jails were so inadequate that judges rarely committed anyone.

Budget cuts for Indian country law enforcement were so severe in the late 1940s that by 1950, Senator J. Chandler Gurney, South Dakota, stated, "They cannot have a dance at night because there is nobody to control the peace of the community . . . . Indian Commissioner John R. Nichols told the Senator that the situation in his state existed throughout Indian country. "This is the lowest point in the history of law and order," Nichols said.

Amazing how this sounds so very familiar. Was it, indeed, the lowest point?

The Senate Committee on Indian Affairs is to be applauded for taking this affirmative step forward to ensure the protection of Indian country citizens, visitors and residents. While this draft bill is a commendable and positive step, it is but a first step in addressing a very complex issue. Section 2 of the draft bill, entitled, "Findings; Purposes" clearly encapsulates the devastating issues facing Indian country that have been documented in report after report. A former tribal prosecutor and judge commented to me that this draft bill potentially represents "a dream come true."

As this honorable committee strives to protect Indian Country lives, we must examine the reasons Indian county public safety remains in a state of crisis. Most of the tools outlined in the provisions of the draft bill are already in the hands of the government agencies. So we must then ask why they are not being used to their fullest potential. Is it for lack of will, understanding of the issues or simply a lack of concern? I know there exist examples for all three, but typically it boils down to the issue of funding and resources.

As an example, when I was Deputy Director at BIA law enforcement over four years ago, we could count our headquarters staff on two hands. Little has changed since then. How can they possibly be expected to perform the monumental task at hand with less staff than it takes to run a fast food restaurant? Without attendant funding the provisions of the draft bill will go unanswered.

The draft bill serves to establish the necessary lines of communication and defines areas of required accountability to bring true public safety to Indian country. I will offer a number of comments which will be submitted in my written testimony; however, I will state with regard to the BIA Office of Justice Services; considering the tremendous importance of law enforcement the draft bill should address the need to elevate the Office of Justice Services to the Bureau of Justice Services and properly re-delegate the current Deputy Director position to Director. Further, the Indian Law and Order Commission, is potentially the strongest provision of the draft bill and offers an opportunity to bring together top Indian Country experts to address the complex matters facing our tribal justice programs; however, the provision should encourage the consideration of Indian preference in commission selection.

Section 2., Findings: Purposes., reiterate that the United States holds distinct legal, treaty and trust obligations to provide for the public safety of Indian country. The trust responsibility obligation is negated by the Federal performance based funding requirements of GPRA and PART. How can trust responsibility be effectively carried out when tribes are not provided sufficient funding to perform effectively and are then penalized for the lack of performance? Only through needs based funding initiatives can tribal law enforcement ever reach parity with their state and local counterparts.

Indian country has the capacity to provide effective law enforcement which is demonstrated by tribes that have the financial resources to fund their public safety programs. So it is not a matter if we can—it is a matter of the Federal government meeting its obligation to provide the required funding and resources. It is my hope that this intended legislation will give us that opportunity.

I wonder how many Indian country lives were needlessly lost or harmed just in the time it takes to hold this hearing.

Under Section 2, Findings; Purposes, mention should be made regarding the need for prisoner transport services. With the number of jail closures police officers are taken out of service for extended periods to transport prisoners hundreds of miles to and from jail facilities.

Under Title I, Section 103, it should be noted that the responsibility for background investigations for Special Prosecutors will rest with the DOJ so as not to place undue burden on tribes.

The requirement for the tribal liaisons to provide training sessions and seminars for Special Law Enforcement Commissions is a positive step toward minimizing the backlog of officers requiring the requisite training for SLEC certification.

The elevation of the Office of Tribal Justice to a division and establishment of the Office of Indian Country Crime, overseen by a Deputy Assistant Attorney General at the DOJ will serve to place the rightful priority on Indian country. The DOJ must also move to create specific Indian country prosecutive guidelines that ensure aggressive prosecution, particularly when the crimes relate to drug trafficking.

Title II, Section 202 (d), suggests that the financial resources of each entity to be taken into consideration of the grant process. The idea to incentivize tribal, state and local cooperation is diminished by considering the financial resources of each. Further, it would be appropriate to include verbiage under Section 202 that encourages Federal law enforcement agencies to participate on the DOJ funded teams.

Title III, Section 301(a) needs to clarify the type of training. If the intent is to provide flexibility for Indian country police officers to chose alternatives to the Indian Police Academy for basic law enforcement training then it must further clarify that Tribal officers may opt to attend a state, local or tribal academy; however, BIA Police Officers must continue to be trained as Federal officers at the Indian Police Academy. It should be stressed that all basic training for Indian Country police officers must meet or exceed the basic training program of the Indian Police Academy. The Section refers to a National Peace Officer Standard of Training, there is no such standard, as each state has responsibility for developing their individual standards of law enforcement training.

Title III, Section 303., Access to National Criminal Information Databases, must take into consideration that to have a terminal for access to National Criminal Information Databases, tribal law enforcement programs must meet a series of stringent measures intended to safe guard such information. Physical security, trained operators, operator security clearances, and dedicated secure connections all require funding, training and technical assistance. Such funding and training should be managed in the form of the DOJ grant process.

Title III, Section 304., Tribal Court Sentencing Authority contains the provision to empower tribes to impose imprisonment beyond the current one year limitation is an important tool which will potentially lessen the United States Attorney case load while offering sentencing flexibility to tribal court judges. However, there must be a provision to ensure we are not simply warehousing our people. Detention facilities used to house Indian Country inmates must be able to provide culturally sensitive services that include at a minimum, educational programming, workforce integration training, substance abuse treatment and mental health care. The provision to utilize the Bureau of Prisons (BOP) on its face seems to alleviate long-term prisoner housing issues; however, sending Indian Country prisoners to BOP facilities raises concern. Prisoners will likely be separated from their Native communities by great distance and could be subjected to a more sophisticated and dangerous inmate population.

Title IV, Section 402., Indian Alcohol and Substance Abuse. Recognizing there are unacceptable numbers of Native Americans injured or killed each year from alcohol related traffic accidents, this draft bill must call for the National Highway Safety Administration and BIA Indian Highway Safety's involvement in providing funding for reporting, training, equipment, enforcement and specific prevention initiatives.

Title IV, Section 404., Tribal Jails Program. Recent history has proven that new detention facilities can be constructed; however the issue then reverts to an inability to open the facilities for lack of funding for recruitment, hiring, and training of new staff. In fact the former Director of BIA Law Enforcement, Theodore Quasula informed me that a newly constructed juvenile detention facility on the Hualapai reservation sets empty nearly a year after construction. Juvenile crime on the reserva-

tion is rampant to the point that the very juveniles who should be incarcerated in the facility are vandalizing it. Provisions must be in place to ensure appropriate funding is available to staff planned detention construction.

Respectfully submitted,

Walter E. Lamar

The CHAIRMAN. Mr. Lamar, thank you very much.

Mr. Ragsdale, I mean no disrespect by having you testify last, but I wanted you to have the opportunity to hear the other testimony. You represent the Department of the Interior and the Bureau of Indian Affairs here today. You are the Director of the Office of Justice Services at the U.S. Department of the Interior. I felt it would be helpful for you to hear the comments of a wide variety of other witnesses.

We appreciate your being here, and we will recognize you for your statement.

STATEMENT OF W. PATRICK RAGSDALE, DIRECTOR, OFFICE OF JUSTICE SERVICES, U.S. DEPARTMENT OF THE INTERIOR

Mr. RAGSDALE. Thank you, Mr. Chairman, thank you, Madam Vice Chair, and thank you, Senator Thune, for being here today.

I will try to be mercifully brief, Mr. Chairman, to allow time for as many questions as the Committee has time for.

I am pleased to represent the Department of Interior here this morning. I would like to first point out that Secretary Kempthorne has truly been a champion for law enforcement within Indian Country. When he first came on board, he had a five minute meeting scheduled for me for briefing. He took an hour and a half. At the conclusion of that meeting, he said, "This should not stand. We have got to do something." Out of that commitment, he came forward with the Safe Indian Communities Initiative, which we are trying to implement today. Operation Dakota Peacekeeper is an outgrowth of the Secretary's initiative.

I would also like to say that in terms of our relationships, that is, the Department of Interior and tribal law enforcement, in my view, our relationships are stronger with the United States Attorneys, the FBI, the other Federal agencies that we work with in collaboration to do casework and provide law and order on reservations.

You have my written testimony on the scope of law enforcement authority and our responsibilities in the Department of Interior, so I will leave that for your review in the record.

In terms of our meetings and discussions with tribal leaders, Secretary Kempthorne in 2006, in collaboration with NCAI, kicked off the Safe Indian Communities Initiative, which we are now in the process of implementing. We do regular discussions, consultations, with a number of my friends here at this table on a regular basis. We are usually talking about resources, facilities, points and issues of the day on case work and so forth.

My perspective on all of that, everybody is dedicated to trying to get the job done and maximize the limited resources that we have to provide for basic law enforcement within Indian Country. My testimony reflects our comments on the crime data collection. I will just say briefly that our collection of crime data within Interior has been severely hindered by the loss of internet resources and acces-

sibility to all of the array of Federal systems that are available to modern police departments throughout the United States of America.

That hindrance, our inhibition to use internet, has now been lifted, so we look forward to rapidly coming forward to this century in terms of information technology.

Turning to my written testimony concerning special law enforcement commissions, we currently have the authority under the 1990 Indian Law Enforcement Reform Act to maximize cooperative law enforcement throughout the Country. The Bureau of Indian Affairs has strongly encouraged tribes to do that. The inhibitions to that authority to deputize State and local officers is one that there must be consent by the tribal authorities involved, and also that sworn tribal and State officers under the agreement have to have the requisite training requirements in order to be deputized with Federal law enforcement commissions.

One thing I wanted to say about our training. There has been some concern that Indian law enforcement officers are not properly trained in terms of domestic violence and how to handle those types of issues and crimes and crimes against children. Previously, I invited Committee staff, and I would also invite the Committee to do a serious review of our entire law enforcement curriculum, particularly the training that we provide Indian law enforcement officers. I believe it is second to none. Over 105 hours are provided to our basic police officers, both tribal and BIA, in domestic violence, crimes against children, both in written exercise, lectures and practical applications at our academy.

Finally, turning to the issues of tribal sentencing authority, the concept in the draft bill, I will just tell you something I am sure that you are all keenly aware of, that there is limited detention space on or near most Indian communities. There are also limited funds to contract for detention bed space in a non-tribal or non-BIA facility. Extending sentences for longer than one year, provided there are actually facilities available, will result in a big increase in costs to both BIA and the tribal governments.

Secondly, not all tribal courts have an effective appellate process. A defined, effective, consistent and transparent appellate process is important to ensure civil rights of individuals are protected.

Third, consistency in standards and staffing among the facilities would need to be assured as well as constitutional concerns of due process and legal defense. A significant monetary commitment on both the Federal Government and the tribal governments would also be required to close these gaps.

In closing, I want to pay tribute to the law enforcement, corrections and court personnel, as well as other public safety personnel, who work daily at all levels of the tribal, State and Federal sectors of the Government. They do their jobs sometimes at great personal sacrifice to the benefit of our Indian communities.

I noticed this morning the notice about the Eastern Band Cherokee member that was killed serving with the North Carolina Highway Patrol. That is the daily type of risk that our police officers throughout this Country face. As we work to develop better public policy and implement better methods to address public safety issues, I hope we will keep in mind their daily contributions to

make our communities safe and secure. They do their best to ensure a measure of peace and tranquility, reacting to emergency circumstances under too often adverse conditions with very limited resources. They also do their duty selflessly, so that our citizens go about their daily lives without fear of lawlessness. They are true heroes in this society.

Mr. Chairman, members of the Committee, I thank you for providing the opportunity to testify. This concludes my statement.

[The prepared statement of Mr. Ragsdale follows:]

PREPARED STATEMENT OF W. PATRICK RAGSDALE, DIRECTOR, OFFICE OF JUSTICE SERVICES, U.S. DEPARTMENT OF THE INTERIOR

Mr. Chairman and Members of the Committee, I am pleased to provide testimony for the Department of the Interior, regarding concepts aimed toward improving and addressing law and order in Indian Country. Respectfully, the Department is unable to provide a position or comment specifically on draft legislation that has not been introduced at least a week prior to this hearing.

The Bureau of Indian Affairs (BIA) has a service population of about 1.6 million American Indians and Alaska Natives who belong to 562 federally recognized tribes. The BIA supports 191 law enforcement programs with 42 BIA-operated programs and 149 tribally-operated programs. Approximately 78 percent of the total BIA Office of Justice Services' (OJS) programs are under contract to Tribes as authorized under Public Law 93–638, as amended, or compacted to Tribes as authorized under Title IV of the Indian Self Determination and Education Assistance Act, as amended.

The OJS provides a wide range of justice services to Indian country, including police services, criminal investigation, detention facilities, tribal courts, and officer training by the Indian Police Academy.

Indian country law enforcement provides services to a population that is predominantly under the age of 25 and experiences high unemployment rates, and lacks municipal infrastructure. Indian lands range from remote wilderness to urban settings. The close proximity of a number of reservations to the international borders of Mexico and Canada make these locations the perfect targets for drug trafficking and other smuggling operations. Recent reports and news articles outline the challenges faced by criminal justice systems in Indian country. Crime rates on most reservations are unacceptably high.

The Indian Law Enforcement Act of 1990 (25 USC 2801) and the regulations contained in Title 25 of the Federal Code of Regulations provide the statutory and regulatory authority for the BIA. Under this statute, the BIA provides basic police and corrections services while other federal agencies such as the Department of Justice (DOJ), the Federal Bureau of Investigations (FBI), the Drug Enforcement Administration (DEA), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) also have responsibilities to investigate crimes in Indian country.

Currently, the OJS consults with Indian tribes on an ongoing basis to address concerns in Indian Country. These consultations provide a dialogue between the OJS and the Tribes to address staffing concerns or budget matters through the programmatic, appropriations and budget development processes.

Strengthen Tribal Justice Systems and Recruitment/Retention Efforts

The Department of the Interior's BIA provides several programs designed to strengthen Tribal justice systems. For example, the BIA operates the Indian Police Academy (IPA), which provides basic police training (16 weeks) and a variety of other police, jail and radio dispatch courses for tribal and BIA law enforcement and corrections officers. The IPA is co-located with the Department of Homeland Security's Federal Law Enforcement Training Center (FLETC) at Artesia, New Mexico. The IPA works with State and tribal police academies to permit training in their respective areas.

The IPA staff provides basic coursework in policing, criminal investigations, and detention. In addition, the IPA offers numerous advanced training courses such as child abuse investigation procedures, domestic violence training, community policing, drug investigation, use of force, firearms instruction, archaeological resource protection, police management and supervision, crime scene processing, detention, and dispatcher training.

Our training partnership has proven to be very cost-effective because we share trainers and facilities. The BIA and tribal criminal investigators receive specialized

advanced training at the main FLETC facility in Glynco, Georgia. Select BIA and tribal law enforcement managers also participate in the FBI's National Academy in Quantico, Virginia. Many tribal communities choose to use respective state Peace Officer Standards and Training courses to supplement training of their police.

Upon completion and graduation, the officers have the requisite Federal credentials to be commissioned to serve their communities. The training programs are unique to Indian country policing and are similar to other Federal policing and corrections training required by other Federal law enforcement agencies serving the Federal Government.

Additionally, the OJS provides training for tribal court personnel, which is sponsored by the OJS Office of Tribal Justice Support and by the Tribes themselves. It is the BIA's goal to ensure that all training programs offer the best possible training to tribal and BIA law enforcement, corrections, and tribal court staff.

In addition to the BIA's efforts to strengthen tribal justice systems, the BIA has centralized its law enforcement, corrections and tribal courts programs within one program management area titled the Office of Justice Services (OJS). This organization allows for a centralized focus of the administration and management of basic justice services as well as lending to a cohesive approach to program implementation that allows for unity and cooperation throughout programs.

In an effort to improve recruitment and hiring within all service areas, the OJS is implementing a Recruitment Plan that includes task items for short, intermediate, and long term planning efforts. These efforts include, but are not limited to, increasing the personnel staff available to process and track status on OJS personnel actions; working to improve recruitment efforts at colleges and the military to obtain better qualified applicants; improving and streamlining the process for background checks; and investigating the use of other manpower resources from other qualified law enforcement providers.

Crime Rate Data Collection

Currently, the BIA's crime data are collected by the OJS through monthly crime reports that are submitted by Indian Country jurisdictions (tribes and BIA law enforcement). The method currently used by OJS is as follows: crime reports that are collected are entered into an automated database tool that gathers law enforcement statistics at the lowest level. Crime data are entered at the field from the individual law enforcement agencies that are implementing policing programs. Tribal policing programs without direct access to the BIA's automated database tool submit hard copy information to their respective districts for input into the system.

Crime data information submitted for entry into the system is verified by the agency and then is reviewed a second time at the District Commander level. The District Commander must then provide final approval before the crime data are used at the Headquarters Office for quarterly performance reporting and the development of other statistical reports that are made available to the Department of Justice. Since the Department's last statement for the record, the BIA's internet restrictions have been lifted and full internet access should increase the timely collection of crime data.

In our effort to establish better management information systems for the collection of crime data, the OJS is considering the feasibility of the Incident Management Analysis and Reporting System (IMARS), which is a Department-wide information collection, analysis, and reporting system initiative. The concept behind IMARS is to provide a common information sharing capability across all participating functional areas within DOI for capturing and reporting law enforcement, emergency management, and security incident information. Once IMARS is available Department-wide, the OJS will determine the feasibility of providing an opportunity for tribal collection of crime data using IMARS.

Increasing access to national crime databases and collecting and sharing crime data between agencies would assist in addressing crime in Indian Country, but such authority would require assurances in the protection of confidential information between all the entities authorized to access, input and share information on such databases.

Special Law Enforcement Commission (SLEC) Training and Certification

In an effort to make special commissions available to tribal, state, and local law enforcement, the BIA encourages cross-commissioning so that Federal, tribal, and state authorities can make arrests for each jurisdiction. For instance, BIA offers qualified tribal and state law enforcement officers Federal Special Law Enforcement Commissions (SLEC) so they can enforce federal law. This closes loopholes and allows police to focus on investigating the crime instead of sorting out jurisdictional details, which can be done later with the assistance of legal counsel.

Supplemental training is provided by the BIA and, more recently, through the offices of the United States Attorneys to utilize both tribal and state law enforcement officers in Federal and tribal policing as authorized under the Law Enforcement Reform Act. The Office of the Solicitor and the United States Department of Justice offices determine extension of Federal Tort Claim coverage as authorized under the Reform Act. For the Committee's information, please find attached Table C, which illustrates the SLEC count for all District Locations.

Increasing flexibility in commissioning state and local law enforcement officers to enforce all violations of federal law committed on Indian lands may a have a positive effect in addressing the law enforcement needs in Indian Country, however, such increased flexibility, presumably would require increased coordination between all entities who provide training to certify Indian Country law enforcement officers serving in Indian Country.

Tribal Sentencing Authority

Current Federal law provides a ceiling on tribal court penal authority to sentences of no longer than one year and up to a $5,000 fine for each offense. Some tribes currently sentence tribal offenders concurrently for more than one offense which, in the aggregate, can total more than one year. There are at least two major challenges faced by BIA and tribal corrections programs with the care of inmates subject to long-term sentences for non-Federal felony crimes committed in Indian country:

1.) There is limited detention space on or near most Indian communities. There are also limited funds to contract for detention bed space in a non-tribal or non-BIA facilities. Extending sentences for longer than one year will result in increased costs to both the BIA and tribal governments.

2.) Not all tribal courts have an effective appellate process. A defined, effective, consistent, and transparent appellate process is important to ensure civil rights are protected and the tribes are not unduly subjected to habeas corpus claims in Federal court.

Tribal court penal authority to sentence offenders for longer terms and maybe choose alternate forms of incarceration may give rise to certain constitutional concerns and also federal policy concerns. Consistency in standards and staffing among the facilities would need to be assured in order to alleviate these concerns. Such consistency among the choices of incarceration, presumably, would again be a significant monetary commitment on both the federal government and tribal governments.

Mr. Chairman and members of the Committee, I thank you for providing the Department of Interior's Bureau of Indian Affairs the opportunity to comment on the issues related to Law and Order in Indian Country. We will continue to work closely with the Committee and your staff, tribal leaders, and our Federal partners. I will be happy to answer any further questions you may have.

Attachment C

SLEC Count for all District Locations

District I	
Rosebud	16
Winnebago	3

District II	
Miami Tribe of Oklahoma	5
Miami Police Dept	30
Eastern Shawnee Tribal Police	6
Chickasaw Nation	12
Choctaw Nation	18
Citizen Band of Potawatomi	14
Prairie Band of Potawatomi	4
Cherokee Nation Marshall Service	19

District III	
Sycuan Tribal PD	7
Hualapi Tribal PD	2
Pascua Yaqui Tribal PD	22
Gila Hoopland Tribal PD	6
River Tribal PD	56
Washoe Tribal PD	3
Las Vegas Tribal PD	1
Tohono O'Odham Tribal PD	8
Tule River Tribal PD	3
Ft. Mohave Tribal PD	7
La Jolla Tribal PD	1
FT. McDowell Tribal PD	13
Los Coyotes Tribal PD	1

District IV	
Laguna	4
Jicarilla	3
Montezuma	26
Cortez	22
Southern Ute	52

District V	
Shoshone & Arapaho	4
Crow Tribal	3
Skokomish Tribal	1
Ft. Hall Tribal	21
Marion County, Sherriff's Office	61

District VI	
Chitimacha Police Department	6
Choctaw Police Department	36
Oneida Nation Police Department	30
Coushatta Police Department	9
Poarch Creek Police Department	15
Seminole Police Department	44
Cherokee Police Department	36
Mohegan Police Department	17
Mashantucket Police Department	18
Narragansett Police Department	3
St. Regis Police Department	13

Total SLECs for all OJS Locations	**681**

The CHAIRMAN. Mr. Ragsdale, thank you very much for being here and for your testimony.

You heard the testimony of Ms. Stoner and Mr. Lamar. Their testimony said, look, we have such a serious problem here, a crisis of sorts. We have people that commit violent crimes, rape, sexual assaults and other things that are not even prosecuted, and walk around because nothing happened to them. Do you think that is the case? Do you dispute their representation of what is happening on reservations?

Mr. RAGSDALE. No, I don't dispute it. I am also a student of Indian history, particularly in terms of our warrior traditions that go back since time immemorial, about protecting our own communities. I would not disagree with the content of their statements.

I would say that my experience, I spent about seven or eight years as a tribal police chief in eastern Oklahoma. The cooperation that I received from the U.S. Attorneys, whether I had an Indian defendant or a non-Indian defendant, was always outstanding. If I had a good, solid criminal case, the United States Attorney prosecuted, took it to grand jury and went through the process, both in the northern and the eastern districts of Oklahoma. We do have jurisdiction of non-Indian offenders that commit crimes in Indian Country.

So I think what is happening, Mr. Chairman, and I have spent a lot of time, I have a lot of experience in Indian affairs, but I spent a lot of time in Indian Country as well, is that the rate of crime has jumped so much in the last decade or so that many of our police officers are like on a conveyor belt, they are responding and reacting to the incidents of the day. If that is all you do and you do not have the time to sit down and do the hard work of writing the investigation up, providing the criminal information to a prosecutor, whether it is a tribal prosecutor, State prosecutor or a Federal prosecutor, you don't get crimes prosecuted.

The CHAIRMAN. I understand. That in itself undermines the law enforcement system.

Ms. Shappert, we had testimony before Congress by a former high ranking Justice official who came to testify. She said U.S. Attorneys were reprimanded because they "spent an excessive amount of time on Native American issues." We had another U.S. Attorney state publicly that the Justice Department doesn't care about prosecuting crimes on Indian reservations.

I want to ask you to respond to that, and as I do, let me say that three months ago, we wrote to the Justice Department and said, tell us, how many declinations are there, how many cases do you decline, under what conditions do you decline them? What I heard back from the Justice Department just yesterday after three months was, at this time we do not have statistics that we believe accurately reflect the rate of declinations in Indian Country. That is all they say, we don't have any statistics.

And yet what we hear anecdotally from around the Country is that declinations occur all the time. Sometimes for no purposes. I think Ms. Stoner mentioned, you wait for a year, then you get word back after a year, well, we're not going to pursue the case. At that point, the witnesses are gone.

So tell me about this, because we have had testimony that Justice Department actually reprimands U.S. Attorneys that spend too much time on Indian cases.

Ms. SHAPPERT. First of all, I would like to note that when General Mukasey became the Attorney General, one of the first things he did was meet with Native American leaders from Indian Country. He had a meeting in his office with a number of leaders to talk about issues in Indian Country. Indian Country was not part of his background, but he made it a priority beginning early on in his term.

He also made a trip out to Arizona for the express purpose of meeting with tribal leaders and members of the tribal courts in Arizona because he recognized that it needed to be a Department priority. I can only speak from my experience, Senator. I have never been reprimanded, discouraged or in any way inhibited in my ability or in my efforts to prosecute and forward the initiative in Indian Country. Let me tell you what this Administration is doing in that respect.

With regard to the United States Attorneys in Indian Country, the Native American Issues Subcommittee regularly is meeting for purposes of advising the Attorney General. Not only were we out in South Dakota two weeks ago, we were there with the tribal liaisons, because we recognized, we are about to leave. But to continue the mission of the Department of Justice, we need to make sure that we empower the Assistant United States Attorneys who are working in Indian Country.

Not only were we there, but the Deputy Attorney General sent representatives, the Executive Office of U.S. Attorneys was there, and we were there with other law enforcement. We are currently planning yet another meeting of the same components in Arizona for September. We are on the agenda for the Attorney General's Advisory Committee.

You want me to talk about declinations.

The CHAIRMAN. Yes, please.

Ms. SHAPPERT. Okay, glad to. There are two different kinds of cases that U.S. Attorneys prosecute, proactive and reactive. Proactive cases are the paper-intensive, grand jury-intensive, document-intensive Title III wiretap going after Enron cases that we typically do. The reactive cases are more akin to what we do in Indian Country and are frequently more akin to what local district attorneys do. They are the violent crimes, they are responding to issues of violent crime.

Fully a quarter of the violent crime prosecuted by U.S. Attorneys is in Indian Country. It requires a different skill set and it requires a different criteria. When we accept a case for prosecution, a couple of things. First of all, we can only accept it if we can prove it beyond a reasonable doubt. We can't indict a case without being able to prove it beyond a reasonable doubt. Probable cause is not a high enough standard, because we are not only interested in protecting the rights of victims, we have to be concerned about rights of defendants, and do justice. So we don't indict a case if we can't prove it.

When we are looking at a case in Indian Country, we are going to look to make sure it is Indian Country, we are going to look at

whether the victim is an Indian or non-Indian and we are going to be looking at whether the perpetrator is an Indian or non-Indian. So we go through that kind of an analysis.

The CHAIRMAN. I would understand you do that. My question is not, is there work going on. My question is about the result and the Justice Department says, we don't have the foggiest idea how many declinations there are. Now, you have heard the testimony here, you have heard it from Chairman His Horse Is Thunder, Chairman Garcia, you have heard it from Ms. Stoner. It seems to me that the system doesn't work.

Let me make one other point. The current Attorney General, I understand your point about him. I met with him. I provided him the testimony by a U.S. Attorney who said, we were reprimanded. I talked about the crisis, and I appreciate the fact that he apparently took that seriously. My discussion is about a good number of years prior to that, in which we have seen this fester and build, and the violence continue.

But my specific question about declinations is in response to Ms. Stoner and others that I have heard from repeatedly that you send a case up of a violent rape, you don't have the foggiest idea whether somebody is going to pursue it or not, and maybe you don't hear back for a year and a half, and they say, we have decided not to pursue it. If the Justice Department can't even tell us how many they have declined, I don't understand what kind of track they are keeping of these issues.

Ms. SHAPPERT. First of all, the Department of Justice is currently working through the Office of Justice Affairs to improve the quality of our stat keeping, which needs improvement and we are currently working on that. So that is a work in progress.

And I would be glad to report back to this Committee as to what the Department is doing to improve their stat keeping.

Secondly, sometimes cases are referred to another jurisdiction, be it the State or tribal court, for prosecution. Under the current status of the law, it is within the discretion of the U.S. Attorney whether to report our declination. We may not do it for a couple of reasons, Senator. One is, if it is an ongoing grand jury investigation, there may be confidentiality concerns. We may have a victim who is related to a tribal law enforcement officer. And our first concern will always be protecting the victim. So we may not disclose it if we are trying to protect a victim or certain witnesses. So we have those kinds of concerns.

But with regard to the stat keeping, I will be glad to see that we report back to you. But we are working to improve our stat keeping.

The CHAIRMAN. And this is not about statistics so much as it is about U.S. Attorney's office deciding that this ought to be in the front of their office rather than the back of their office, the serious requirement to prosecute felons on reservations.

Mr. Ragsdale, let me ask you, are there, as Mr. Lamar indicated in his testimony and as I have heard before, are there juvenile detention centers that have been built, paid for and standing open unused at this point?

Mr. RAGSDALE. There are, sir.

The CHAIRMAN. Tell me the reason.

Mr. RAGSDALE. The reason, one of the primary reasons is difficulty staffing them, staffing them and recruiting qualified people, because there is no place for them to live. That is one problem.

Another problem is that some of the recent facilities that were brought online were not designed to keep the type of typical juvenile offender that we maintain in our systems today and need improvements.

The CHAIRMAN. Let me ask you specifically about the provision in Mr. Lamar's testimony, the Hualapai Reservation, the juvenile detention center, newly-constructed, on that reservation, sits empty a year after construction. Juvenile crime on the reservation is rampant to the point of the very juveniles who should be incarcerated in that facility are now vandalizing the facility.

What is the purpose of having that facility sit vacant, do you know?

Mr. RAGSDALE. There is not a good purpose for having a facility sit vacant.

The CHAIRMAN. Why is it sitting vacant?

Mr. RAGSDALE. It is sitting vacant because of two reasons. One reason is that we have not been able to staff that facility with the necessary personnel, because it is located in a remote location. The current tribal council is proposing, originally the tribe wanted us to operate the facility, us being the BIA, as a direct operation. They have since decided that they want to contract out the facility and that they want to provide the service directly and are in the process of doing that.

In the meantime, while we have been going back and forth with the tribe on the contracting issue, we have been trying to recruit, but have not been able to staff the facility adequately. And there are improvements that need to be made. Excuse me, I am thinking about another facility. I am sorry, Senator. I don't know that we need to make improvements at Hualapai. The issue has been primarily not being able to staff it.

The tribal government also thinks that they need more money than we have allocated to run the facility. So that has been an issue between the tribe and us.

The CHAIRMAN. You know, Mr. Ragsdale, I have been very critical of the BIA recently. It is, in my judgment, so bureaucratic, so difficult to see accomplishments coming from the agency. And I don't understand why it is not an emergency situation, when you have violent juvenile crime occurring, you have a new facility that is sitting there empty a year after it was built. Why is that not an emergency? You need to make things happen. I am so disappointed with the Bureau of Indian Affairs for its failure to make things happen, in so many different areas.

Mr. RAGSDALE. May I respond?

The CHAIRMAN. You may respond, yes, of course.

Mr. RAGSDALE. Senator, from your perspective, I understand where you are coming from. The Bureau works with very limited resources. There is a system that we have to abide by doing security checks under the post–9/11 requirements. We have been working very hard to try to streamline the bureaucracy so that we can hire people. But even the personnel resources that we have available to us to focus on law enforcement issues is very limited. We

are trying very hard, and the Secretary of Interior is right behind that effort to try and make that better. That is what we are trying to do.

The CHAIRMAN. This limited resources thing, I don't hear anybody coming to these tables from the BIA saying, look, we have a crisis going on here, people are dying, there are people being raped, victims of sexual assault. The fact is, Senator Thune talked a bit about this at the start when we asked for some additional resources to go into the Standing Rock Reservation. This is not a third world country. This is part of our Country.

The dilemma here is we have this fractionated law enforcement system that doesn't work at all, in my judgment. But this notion of not enough resources, I understand that, I believe that is the case. I would like somebody to come to the table who runs the BIA, and it doesn't matter whether it is in the past Administration or this Administration, that says, by God, we need more money to save lives and to help people. Nobody ever does that, because the requirement is to come to this table and support the Administration's budget.

The last person that came to the table and said, I don't agree, we need more resources, got fired the next morning. The very next morning. So I understand why they all——

Mr. RAGSDALE. Well, Senator, I will tell you we need more resources, and I am not afraid to say that. I have testified before this Committee a number of times, and I have not tried to varnish over the situation that we have with regard to public safety in Indian Country. It is a national disgrace.

The CHAIRMAN. I hope you are all right tomorrow morning, then.

Mr. RAGSDALE. We will see.

The CHAIRMAN. But I appreciate that. And what kind of resources are necessary? How much are we short here? I know what we are short in health care, 40 percent of the health care needs are unmet, so we have rationing going on.

But in law enforcement, it seems to me we are desperately short of doing what we need to do. How much do we need here?

Mr. RAGSDALE. Senator, we did a gap analysis. Typically we find, and there are variances, because there are some tribal law enforcement departments that do very well and put their own money and resources into it. But typically, we have about one-third to one-half as many as you would find in the rest of America, as compared to rural law enforcement in America, which is not really a real high standard.

With respect to detention and corrections, in my view, what the Administration and the Congress needs to do is to step back for a moment and look at the status of detention and what we are trying to provide throughout Indian Country. We have to do things differently. Everybody cannot have a detention facility. We have to strategically place detention facilities so that we can handle the kind of population that we have in our facilities.

When I first got started in the Indian Bureau, which is a long time ago, most of our detention facilities were like the hometown jails, where somebody that was arrested for alcoholic behavior or misbehavior associated with alcohol, they were checked into the jail, they sobered up and then they came out. That is not the kind

of offender that we hold in our jails today. We hold dangerous offenders serving one year or more terms that have come from every type of criminal activity from rape to homicide to serious assaults and all those things. The people that we used to hold in our jails we don't hold, because we can't hold them.

The CHAIRMAN. I have so many additional questions, but I don't want to dominate this. The Vice Chair I know has questions as well. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. I know that Senator Thune has to leave, so I will defer to him for a few questions and then if I may ask my round. Thank you.

Senator THUNE. Thank you, Mr. Chairman. I want to thank Senator Murkowski for giving me an opportunity to ask some questions.

I appreciate the testimony of the panel. It seems to me, at least, that there ought to be a basic expectation of people who live on the reservations, Indian and non-Indian, that public safety is going to be there. I think that is something that most people in America sort of accept as a basic premise, that that is something that their Government ought to be able to provide. And because of the trust and treaty responsibilities that the Federal Government has with respect to our reservations, the lack of public safety seems to me like a major failure. It is tragic, what we are seeing happening on our reservations, and the data bears that out.

I think the thing I would like to get at, is the resource issue, and I think Mr. Ragsdale has spoken to that. I offered an amendment to the budget resolution this year, when it went through the Senate, to increase the funding for tribal justice by $200 million over a five-year period or $40 million a year. Senators Dorgan and Murkowski were supportive of that effort. But it seems to me that is a big—I don't dispute for a moment that that is an issue here. We have to do something to address the resource issue. But we have so many challenges and problems that we face on our reservations today, none of which can be solved until we deal with the basic fundamental issue of public safety. I just don't know how you can have children learning, absent having a secure environment in which to learn. You can't create jobs, you can't have economic development if you don't have public safety. You can't get a company to create jobs on a reservation if they are worried about vandalism or they are worried about crime.

So many of these issues tie back to resources, it all starts there. I think this is the foundation of a lot of the issues that we are facing on the reservations today. So I just say that as a basic overall observation. I think that we have a responsibility, which perhaps because of insufficient funding we haven't met here. But I also think that we just have to have a focus from the BIA on this issue. That is not to say that to the detriment of other important work that the BIA is doing.

But we have jails in our State of South Dakota. The Crow Creek jail closed on the assumption that the Lower Brule jail was going to open. It has not been adequately staffed. They are shipping people to Cheyenne River. We have all these ongoing issues with the wide geography that we have in South Dakota, 2.4 million acres, as Chairman His Horse Is Thunder has testified on Standing Rock,

and just inadequate law enforcement presence out there. It just goes up and down the chain.

That is why I think this bill is so important, because there are so many issues that need to be addressed, some of which are policy-related, I think addressing the issue of tribal courts being able to put people in jail for longer than a year at a time is important. That seems to me to be, you have to know that if you are going to get involved in crime on the reservation, there are going to be consequences to that.

But I guess I say all that in a circuitous way of getting around to a question. Mr. Ragsdale, I do want to ask you, because I think this Operation Dakota Peacekeeper could be a model that could be implemented other places around the Country, certainly on some of the reservations in South Dakota. So I would like to have you speak a little bit more specifically to that, perhaps Mr. Chairman, you could add some insights on that, too. I know this is an issue we have discussed on a number of different occasions.

Mr. Ragsdale, when you were in South Dakota in the last couple of weeks and I had a conversation with you, you indicated that you had seen first hand and actually detained and made some arrests while you were out there. But this seems like a runaway problem, and the only way we are going to address it is to really attack that problem.

I think that Operation Dakota Peacekeeper is, to me at least, an important first step. I am curious to get your reaction about how that has worked, how it might be used as a model on other reservations, and what is necessary in terms of resources to do that. Senator Dorgan raised the issue about resources, too. What is it, what do we need to do to bring some security to our reservations and how can this Operation Dakota Peacekeeper be a part of that solution?

Mr. RAGSDALE. Thank you, Senator. When Mr. Artman first brought up the idea about doing something at Standing Rock because of the problems and the issues and because of the concern of both States' delegations, I was kind of skeptical, because the problem boils down to having the right number of public safety personnel to cover a very large reservation. I sat down with my staff, we did some planning. We decided to employ our emergency service function team, which is set out to do national incidents like responding to hurricanes and national incidents and such. We have used that team to supplement the existing law enforcement operation that we have there.

In terms of numbers, we have uniformed police officers integrated into the local police department, which about measures up to the gap analysis that we need. We have about 12, 14 officers there to operate 24/7 over huge geographic differences. We have supplemented that with about 20 officers, which is still less than the gap, but it appears to be really making a difference.

We have also sent in additional criminal investigators to assist in the difficult crime cases. We have people that are meeting with local officials on a daily basis. What we hope to do is, because we are not going to be able to sustain it for much more than three months, what we hope to do is to help the community find its way

so that we can develop some community strategies, so that we can do better with the limited resources we have.

It appears to be working. The community has accepted us. I was surprised when I was out there on the streets talking to the grandmas and mamas and little kids, how grateful they were to have police officers on the streets. I guess the point is, if we can do that at Standing Rock and make a huge difference and rally the community, to do the community policing that we would like to do, but if you are just reacting to incidents, you don't have time to talk to neighbors and set up neighborhood watches and work with the church leaders and so forth.

So I am hopeful that if we can do that in three months at Standing Rock and make a difference, and as we start to withdraw that the community will be in better shape, and we may be able to employ this tactic at other places. As someone has pointed out, we chose Standing Rock because we had strong tribal support from the chairman, from the delegation. It seems to be working real well.

But Standing Rock is not our worst reservation, by far. Standing Rock has six times the national violent crime rate. We have reservations that it is up to 32 times. We have reservations where police are just reacting, reacting, reacting to calls.

The CHAIRMAN. Senator Thune, President Garcia has an 11:25 departure for an airplane. So in the remaining minute before President Garcia has to leave, might we ask President Garcia, do you wish to comment on some of the other statements you have heard before you have to depart to catch an airplane?

Mr. GARCIA. Yes, Senator, thank you.

The CHAIRMAN. Thank you, Senator Thune.

Mr. GARCIA. I think that if you have statistics like this, this model that we are just now talking about, you have the cost breakdown for a model, you have the effectiveness, because you have monitored it very closely. So roughly, what might happen is that there should be a suggestion that this is X amount of dollars that it costs, and if you can implement that same model throughout Indian Country to some realistic level, that automatically gives you a number that we ought to be requesting to take care of the crime rates and break the cycle of crime, if you will.

But if that kind of data is not provided for you, like the question you asked, Senator, on what is the need, and so I will answer that question about what is the need. I think the funding level for BIA in terms of law enforcement, it is probably less than 20 percent of the needs in Indian Country, is the funding level that they receive. So in order to break the cycle of crime, we need that amount of dollars to move and to make some kind of impact.

If we don't get that, then we are struggling. Because when does the budget cycle start and who implements that budget request? It comes from the President, goes through OMB, and so the only thing that I see the Bureau and the Department asking for is really honing in and trying to hold to the budget request that the President makes, and never mind the needs out there in Indian Country. It is a big dilemma. So I think that is why it is so important that the legislation needs to reflect that. I see that is where we are headed.

But major, major change needs to happen. We can go on and on on criteria and performance and lack of funding and all of that. But I think this sets the tone for where we need to go. So I hope that is what we can do and I hope the funding comes with the legislation.

The CHAIRMAN. President Garcia, thank you. Section 101 of the bill requires the BIA to submit an annual unmet needs report, so we would know their assessment of the quantity of unmet needs and the cost of it.

Thank you very much for being with us.

Senator Thune?

Senator THUNE. Thank you, Mr. Chairman.

I will let you continue, Senator Murkowski, with your questions. But I would just like to, if I could, get maybe some perspective from Chairman His Horse Is Thunder, too. And I appreciate the fact that it takes a lot of leadership to make this model that is being attempted to be implemented here in the Standing Rock Sioux Tribe work, sometimes standing up against some forces that would not like to see it work. So I appreciate the leadership you have provided.

But maybe just your thoughts about that, too, how this particular project has worked. I know it is early in terms of implementation, but I think the concern that most people have is how do we continue it after this three-month period, the so-called surge is completed. I think again, I appreciate, a lot of things in this bill have been based upon input that we have received at all aspects of tribal justice. Hopefully the funding issue we can help address in the budget process. I recognize the need to do that.

But we really need to get our arms around this. I don't know how we can continue to have huge populations of people living in fear. That is not right and we have to do something about it.

I need to go before long, too, but Mr. Chairman, if you would care to comment about your observations about how this Peacekeeper operation is working, I would appreciate that.

Mr. HIS HORSE IS THUNDER. Mr. Chairman, Senator Thune, it appears to be making a huge impact. As Mr. Ragsdale talked about the gap in law enforcement officers and the need that was on our reservation, that the gap analysis said we need somewhere around 36 law enforcement officers. Currently there are an additional 20 law enforcement officers on the reservation. We have 10 who were there before, we have 2 unfilled slots, at least they are not there yet.

So we have 30 police officers. It is close to what we need in terms of filling that gap. The most law enforcement officers Standing Rock ever had is in 1890. We had 45 law enforcement officers on the reservation. As soon as they arrested and killed Sitting Bull, then the number of law enforcement officers started to dwindle on our reservation, to the point today we only have 10.

The Dakota Peacekeepers operation, it is a good operation. But you hit it on the nose, Senator, and that is, what happens after three months, when these 20 law enforcement officers then leave? Do the criminals then come back out of the woodwork? That is a concern.

In terms of what Mr. Ragsdale talked about, that is engaging the community, the churches, the district communities, myself as well, too, in trying to bring the resolve back to the community in terms of, they have an obligation to take care of some of the problem, it is not just a police officer problem, it is a community problem. We agree. It is a community problem, it is.

However, with lack of police officers there, I am afraid that in many ways it will revert back to the same reservation it was before, that we do need additional dollars in order for the community to stay engaged, to have some of the resources it is going to need to supplement, if you will, the lack of law enforcement officers. If we had community security forces, we wouldn't need to be paying nearly as much as regular law enforcement officers, but resources to engage the community in terms of having foot patrols in the communities, programs to engage the youth, the Boys and Girls Clubs are starting to pop up on the reservation, but they are severely under-funded. Opportunities for children to engage in other activities other than criminal activities would be great. So taking a look at resources for those types of programs, in the end it comes down to resources.

Right now, it is a good influx of police officers. It does create one additional problem for us, and that is our court systems. Our court system is arraigning people now seven days a week and our jails are full. We have not been given the additional resources we need to man our courts to keep up with the number of criminals that are arrested on the reservation.

It is a good surge, it is making a difference. I don't think we are going to have the resources to continue, with community support for it, once the surge ends. As Mr. Ragsdale talks about, this peacekeeping pilot was a pilot program to test their abilities to respond to emergencies, such as hurricanes and floods, et cetera. Hurricanes and floods go away. The regular police force that was in those communities where they had hurricanes and floods, et cetera, don't have as big of a task once those natural disasters are taken care of. This is not a natural disaster here, we need a long-term solution.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. Thank you all for your testimony.

We all appreciate that funding is the crux of so much of the problem. If you don't have adequate funding, it is very difficult to institute any of the initiatives. But Chairman His Horse Is Thunder, I appreciate the recognition, as you spoke in your opening comments, for instance, when you talk about the level of consistency with law enforcement, having the available number of law enforcement, it is not just the numbers. It is the quality of the training that they have.

But we have to appreciate that it is not just a situation where you are able to hire a certain number of qualified individuals, train a certain number. You then have the issues that we face, certainly on your reservation, but we face it up in the State of Alaska, we are trying to get law enforcement individuals out into very remote areas, areas where the environment is not hospitable, you are not on the road system, you are not connected, you have lots of dif-

ferent things going against you. You don't have support for those that are providing the law enforcement there. And then you don't have basic services. And housing is the most basic. If you can't provide for a place in a rural area, you have a trained individual who is willing to come out, willing to make that commitment. ut if your family is miserable out there because you are crammed into very inhospitable spaces, I appreciate your reminding us that it is not just about getting a certain number of individuals to sign onto a program. There s a whole host of other factors that allow for success in making sure that we have the quality individual, and those folks that are able to do their jobs.

I don't know what the answer is. I know in Alaska, as we were looking at our teacher shortage issue, we had to make a commitment to build housing for our teachers in certain villages. We have to have housing that is provided by the villages to those who are willing, the village safety officers, that are willing to come in. Otherwise, there is no way that we can keep them.

So as we look to the law enforcement issues, I think we need to recognize that it is bigger than just the prison facilities, the detention facilities and the numbers. We have to have the other aspects of a quality life there as well.

I wanted to ask you, Ms. Shappert, because you have indicated that the Department opposes placing the Indian defendants in the Bureau of Prisons facilities. Yet the reason this is in the draft is because nearly all the tribes have no detention facilities, or very limited space available. If we can't support using the Bureau of Prisons facilities, what is the alternative? Where do you go? What do you do?

Ms. SHAPPERT. I think I have to reiterate the same issues of resource that we have heard from the other members of the Committee. But let me try to explain some of the concerns we have about BOP in particular.

As I think you are probably aware, Senator, the Bureau of Prisons right now is 37 percent over capacity. Most but certainly not all the prisoners in the detention facilities in Indian Country right now are one year offenders. Many of them have much less serious criminal records than the people in the Bureau of Prisons.

If we put them into the Bureau of Prisons, a couple of things. First of all, on a one year sentence, they may never make it into BOP. They would be housed in a detention facility or a State or local jail that is contracted with BOP, because their sentences are so short they wouldn't actually get to BOP. So they may not actually have the advantages of the BOP resources.

The other concern that we have heard raised by some of the tribes is that if they are placed in Bureau of Prison Federal detention facilities, any infractions or violations of the law implicate Federal law and they are subject to punishment under Federal law.

The third thing I would ask you to do, and we will be glad to provide it, is look at a map of where the BOP facilities are in the United States and juxtapose it with Indian Country. There are not many BOP facilities in Indian Country. So as a practical matter, somebody who was convicted in the Great Plains, if they were to go into BOP, might be housed in Florida, might be housed in Pennsylvania. And in respecting the sensitivity of ethnicity and tribal

relationships and family communities and the need to maintain those ties in Indian Country, we are going to lose that if individuals are housed 1,000 miles from where they are otherwise.

Senator MURKOWSKI. And we appreciate that. We are faced with the same situation in Alaska, where we send many of our prisoners, many of whom are Alaska Natives, they go down to Arizona. It is not the ideal situation. But it does seem to me that this is an area that we have to be thinking creatively here.

Mr. Ragsdale, you had mentioned in your comments constitutional concerns that you have, not you necessarily, but that the Department may have with increasing the tribal court sentencing authority as well as placing the Indian defendants in the Bureau of Prisons. Can you elaborate a little bit more on what you believe those constitutional concerns to be?

Mr. RAGSDALE. Yes, ma'am. Typically, as you know, the Federal law sets the maximum amount of punishment to $5,000 and one year in jail, which in this Country is considered a misdemeanor, even though it may be a felony type crime that someone has committed that the tribe has adjudicated. All tribes do not provide defense attorneys. I know the Navajo Nation does, the Cherokee Nation does, I don't know about the Eastern Band. But there is not a requirement. So that is one issue that would probably have to be addressed.

The other issue would be, there are, and this is a sovereignty issue, is there is a lack of separation of powers between, in many of our tribal government institutions, which is not necessarily bad. But it would raise those kinds of concerns and for both the tribe and the United States of America, in my opinion, to ensure, there would have to be, in my opinion, some reform or consistency overall within the tribal court system.

Senator MURKOWSKI. I have more specific questions about certain provisions in the draft bill that I will direct to individuals by way of written questions. But I wanted to ask you, Mr. Lamar, because of your experience with the BIA and in law enforcement, in Section 104 of the draft legislation, where an office of Indian Country crime within the DOJ Criminal Division is created, this has been objected to by the Department of Justice because they believe that it may pull Indian Country experts from the field.

What do you think about this as a concern? And kind of give me your comments on how you think this new office that we are proposing would assist in prioritizing or coordinating activities between DOJ and how they relate to law enforcement in Indian Country?

Mr. LAMAR. I think, number one, such an office would probably be able to pull up the statistics rather quickly with regard to the declination rates in Indian Country. I know when I was at the FBI, we had a fairly sophisticated records management system back then, in the mid-1990s. In the mid-1990s, there was a question from the FBI agents with regard to the number of declinations. They felt like those declinations were inappropriately high. So it is a push of a couple of buttons on a computer that says how many cases were presented to the United States Attorneys, how many were closed on declination. So those numbers are actually readily available, and I am surprised——

Senator MURKOWSKI. You just need to ask the right division, is that what you are suggesting?

Mr. LAMAR. I think the numbers are readily available, and it is a matter of saying, let's find out what this really is and let's give an inkling to this Committee, is it really an issue and how large is the issue.

The CHAIRMAN. Might I just ask, if you would yield on this.

Senator MURKOWSKI. Yes, please.

The CHAIRMAN. The Justice Department presentation to us yesterday, dated June 17th, says "We do not have statistics that we believe accurately reflect the declinations in Indian Country." Do you say that is not accurate?

Mr. LAMAR. Well, I wouldn't say that that is not accurate, because that would leave out the Bureau of Indian Affairs declinations, and would only account for the FBI declinations. But I think it would give an inkling, because the FBI is a primary investigative agency in Indian Country with regard to those crimes. So I think that would give an idea, is it really the problem that we think it is. I believe that it is. I believe that those numbers are going to be extremely high.

So I think that division would be able to then concentrate the right priority on Indian Country. The Department of Justice has previously come in this very room and testified that there is no further need for funding for detention facilities. When I was at the Department of Interior, we were begging for additional dollars to continue to build facilities. Though we had a hard time, as does Mr. Ragsdale, with funding and staffing those facilities, we continued to ask for money to build facilities because the need was there. Yet the Department of Justice testified that the need was not there and that the current facilities were only 79 percent filled.

Clearly, we need more facilities in Indian Country. I think that the Department of Justice, given Indian Country the right priority, will be able to answer those questions, will be able to respond stronger in Indian Country to the crimes that are presented. Clearly, their resources as well are tapped. But if you have 25 percent of your violent crime that is associated with Indian Country, are 25 percent of the resources at the Department of Justice dedicated to that?

When I left the Department of Interior, the Department of Interior is one of the largest Federal law enforcement, represented one of the largest Federal law enforcement contingencies in the United States. So I would say that here you have the Bureau of Indian Affairs occupying about three or four offices at the end of a wing, and an entire building that, a Department that represents a law enforcement agency of that size from the Park Service of BLM, Reclamation and so on. Why aren't some of those folks moved over and detailed to Bureau of Indian Affairs to help them solve some of these tremendous problems?

Senator MURKOWSKI. I appreciate your response, sir. I think it is helpful. I recognize that oftentimes around here, it is not only asking the right question, but making sure that it is exactly the right person that you are asking that question to. It is somewhat frustrating that the Chairman has received a letter saying, we

can't give you the information that some of you believe is available, perhaps just not as fully as they would want.

I would like to point out, and President Garcia mentioned this, that in his opinion, this draft legislation wasn't, I don't think he used the term wasn't complete, but that one of the areas where there was an absence was as it related to Alaska Natives. We recognize that many of the issues as they relate to law enforcement and jurisdiction are different in Alaska than they are in the lower 48, and that has been one of the reasons why we have been a little more reserved as this legislation, or this draft legislation has gone forward. Our State Attorney General has expressed some concerns with the way the legislation is drafted at this point and just how Alaska fits in. So it is something that I want to work with you, Mr. Chairman, as we advance this.

But listening to the testimony this morning, the concerns that are raised, I heard good comments about the general direction. There were some good suggestions in terms of those areas where we perhaps have not yet addressed. So I think this is the start of a very meaningful dialogue on an issue that is of great importance across the Country. I look forward to working with you and other members that are currently co-sponsoring this, to see if we can't make a difference. Knowing that we thought we did something good back in 1990, and then 18 years later, we realize we are no further along than many of us thought. So I would like to know that we can advance this. I look forward to working with you.

The CHAIRMAN. Senator Murkowski, thank you very much. I look forward to working with you as well.

Mr. Ragsdale, thank you for being here and for being candid with us. I am candid with you about my frustrations with the BIA. I hope, I mean, I think we need the BIA to work and work well, work aggressively, work smart on a wide range of issues.

I happen to think we are under-funded on a wide range of things, including health care, housing, education and law enforcement. We are going to work to try to address all of those issues.

Today's hearing was about law enforcement. I think the information given us by a number of witnesses describes the urgency here. Ms. Stoner, thank you for your background and the years you have spent in these areas. I notice you indicated you were at Spirit Lake, you were a tribal judge, I believe, at Spirit Lake for eight or nine years?

Ms. STONER. Tribal prosecutor, yes.

The CHAIRMAN. At the Spirit Lake Nation. And you are now in academics, but you are contributing as well to the same area, and we appreciate that.

Mr. Lamar, thank you for your candid observations and helpful observations. Ms. Shappert, thank you for traveling here to give us the perspective of the U.S. Attorneys. Chairman His Horse Is Thunder, as always, thanks for your leadership day to day on one of our Country's important Indian reservations.

The hearing record will remain open for two weeks for additional submissions to the record. We likely will be submitting additional questions to witnesses and ask that you would respond.

This hearing is adjourned.

[Whereupon, at 11:50 a.m., the Committee was adjourned.]

A P P E N D I X

PREPARED STATEMENT OF HON. FLOYD JOURDAIN, JR., CHAIRMAN, RED LAKE BAND OF CHIPPEWA INDIANS

Mr. Chairman, I thank you and the other distinguished members of the Committee for this opportunity to provide testimony on behalf of the Red Lake Band of Chippewa Indians (the "Tribe"). My name is Floyd Jourdain, Jr., and I am the duly-elected Chairman of the Tribal Council of the Red Lake Band.

The focus of my testimony will be on the Tribe's juvenile detention facility, which was constructed in 2005 mainly with Department of Justice (DOJ) corrections facility grant funds, but which has sat empty for the past three years because the BIA failed in its commitment to provide staffing and operational dollars.

In the mid-1990s, the DOJ launched its Indian Country Justice Initiative to enhance and streamline its support for tribal community law enforcement programs. For several years beginning in 1999, Congress appropriated $34 million annually to DOJ to award correctional facility grants to tribes for the purpose of repair or replacement of dilapidated detention facilities.

In the 1990s, Red Lake was in dire need of a new detention facility. Our old jail was nothing more than an old storage garage designed for our Red Lake Forestry program that was converted in the 1970s for use as a jail, law enforcement center, and courthouse. The facility was severely overcrowded and had been condemned by the BIA.

Between 1999 and 2001, the Tribe was fortunate to receive a DOJ Corrections Facility grant to build two detention facilities. The first detention facility (Phase I) was a 42-bed, medium security facility designed primarily for adult detention, but with capabilities to house an additional 26 juveniles on a short-term basis. The second detention facility (Phase III) was a 24-bed, minimum-security juvenile detention facility, designed for longer-term stays, and with counseling and classroom education capabilities.

The BIA participated in the development of both facilities by providing design funding, and by reviewing and approving the designs prior to construction. The two buildings were inspected by the BIA after construction, and both facilities were certified for occupancy by the BIA. The BIA owns the two facilities and has provided Facility Operations and Maintenance funding for both buildings since the time the BIA approved their occupancy. The BIA also provided furnishings for both facilities, including flat screen televisions, bunk beds, desks, and other equipment for the Phase III juvenile detention facility.

The initiative to repair and replace Indian Country jails was to be a partnership between DOJ and BIA. Funds to construct facilities were to be provided by the DOJ and funds to staff and operate the new facilities were to be provided by BIA. The BIA did provide funding for staffing and operation of the Tribe's Phase I adult detention facility since it was opened in 2003. But the BIA has provided no funds for the operation of our Phase III juvenile facility, despite multiple promises to do so.

In August of 2004 the Tribe held its CY 2005 Self-Governance negotiations with BIA and OSG. At that time, construction of the Phase III juvenile detention facility was nearing completion, and was expected to be operational in CY 2005. The Tribe, during its negotiations, requested staffing and operations funding for the juvenile facility in the amount of $1,218,482, consistent with the Tribe's operational budget for the facility. The BIA agreed by contract to assist the Tribe in obtaining the $1.2 million for staffing and operations in CY 2005. Additionally, the BIA agreed by contract to include $1.2 million in funding for the juvenile facility in the next President's budget request (FY 2006). The Tribe relied on the BIA to follow through with its contractual commitments to the Tribe and to honor its partnership agreement with DOJ by requesting the funds to staff and operate the Tribe's new juvenile detention facility.

In 2004, a few months before the BIA agreed to provide funding for the Tribe's juvenile facility for CY 2005, this Committee and the Committee on Finance held hearings on the Interior Department's Office of Inspector General Report: "Neither

Safe Nor Secure: An Assessment of Indian Detention Facilities." General Devaney told the Finance Committee on September 21, 2004, that:

BIA–LES was unable to produce any annual budget submissions for our [OIG] review. We later learned that BIA–LES managers use historical funding levels as their new annual budget requests and have rarely asked for actual budget increases. In addition, we discovered that BIA–LES does not seek to obtain accurate or realistic budget projections from detention facility administrators. In fact, funds allocated to individual jails by BIA–LES are not even tracked. Their failure to make an effort to assess the true cost of operations or to have any internal controls in place becomes a self-fulfilling prophecy.

These fiscal management failures also impact new detention facilities built with funds awarded as grants by the Department of Justice (DOJ). Since 1997, DOJ has provided over $150 million in construction grants for new detention facilities. However, these grants are only for construction of the facility. BIA is then responsible for providing the funding for operational costs. Given the poor budget planning and execution by BIA–LES, it was not surprising to learn that facilities completed with DOJ grant monies often do not get the necessary funding to actually open for business.

General Devaney forecast what would happen to Red Lake a year later when BIA abandoned its contractual obligations to Red Lake. We received no funds in CY 2005. The BIA failed to request funding for the Tribe's juvenile facility in the FY 2006 budget and provided no other assistance to the Tribe to obtain such funding.

The Tribe was shocked to learn of this breach of contract and breach of trust. The Tribe needs this facility to be opened and operated. It is intended to help us deal with a significant number of youth involved with drugs, alcohol, violence, and gangs. Many of these youth have been in and out of our tribal court system and are often released because they are too vulnerable or too young to be placed in the adult detention facility. The purpose of the Phase III juvenile facility is to house and rehabilitate these young offenders and turn their lives around before it is too late.

About the time we first learned of BIA's failure to honor its commitments to the Tribe, the tragic events of March 21, 2005 unfolded, in which a troubled juvenile went on a shooting rampage at our Reservation high school, killing 10 people, including himself. After the tragedy of March 21, the Tribe reached out for assistance for its youth and received some aid, including the ultimate realization of a new Boys and Girls Club facility from non-BIA sources. But the Tribe still needs a juvenile detention facility to deal with troubled teens who currently are sent through a revolving door. These kids require an environment in which there is confinement and security, but at the same time one which enables continuation of their education and offers rehabilitative treatment. In the aftermath of the shootings, the Tribe declared that the BIA had breached its contractual obligations to the Tribe, and asked again that the BIA include the Tribe's juvenile detention facility funding in the FY 2007 budget process. So what was BIA's response to the Tribe's request that BIA finally make good on its promises? The BIA pivoted and began arguing that the Tribe's new juvenile detention facility was not a facility eligible for BIA funding. Considering that BIA participated every step of the way, from funding its design to certifying the facility for occupancy and furnishing it, this new position of the BIA was outrageous.

So where are we today? The Tribe sorely needs a juvenile detention facility. It has one, but it has been sitting empty for over three years now. DOJ did its job as part of the DOJ–BIA partnership and constructed the Red Lake Juvenile Jail. But BIA failed to do its job and fund the operation of our juvenile facility, forcing the Tribe to sue the BIA in federal court. In the meantime, for over three years now, troubled juveniles at Red Lake are devoid of the option for rehabilitation that the Tribe's new juvenile detention facility was intended to provide.

Mr. Chairman and members of the Committee, this story is not a happy one, but I thank you for the opportunity to tell it to you today.

PREPARED STATEMENT OF HON. ELBRIDGE COOCHISE, INDEPENDENT COURT REVIEW TEAM

Our Team has spent the last three years traveling throughout Indian Country. We have reviewed approximately 37 Tribal Courts. We have, perhaps, more knowledge and experience than anyone else regarding Tribal Courts. We offer this knowledge and experience in our comments on this draft bill.

This is, without question, a good bill. There is much in here to be satisfied with. Thus, we have, with few exceptions, limited comments to proposed changes. We understand this is a Tribal wish list and that DOJ and Interior have not yet weighed

in. It is our experience that Crime is uncontrolled in Indian Country. This, we feel, needs to be the priority for Congress. With this in mind, we offer the following comments.

Within the bill, Programs are extended to 2013. Given the usual length of legislation, this we feel is too short. It would be better if the programs in the bill were given a seven year life to 2015.

The legislation amends several bills to include Tribes in a similar status to states. This should have been done in the first place and is a welcome update of this legislation.

The legislation also includes and considers DOJ over site of Indian Country. Considering the U.S. Attorney portion of law enforcement in Indian Country, this should also have been done sooner.

If this bill has a major failing, it is the failure to deal with *Oliphant.* Non-Indians are moving to reservations to make and deal drugs, including Meth. Non-Indians are abuser/perpetrators in relationships with Indian women and nothing can be done. It may be unrealistic to overturn *Oliphant.* However, this is, after all, misdemeanor jurisdiction. Some classes of crimes, such as DV, lend themselves to jurisdictional oversight by the most available sovereign. Limited criminal jurisdiction would not be a problem for Tribes in such cases. At the least, this legislation should acknowledge in the findings the potential for problems with non-Indian defendants as support for cross-jurisdictional law enforcement agreements.

It is vital to understand that you can't just hire more police and build more jails and the problems will go away. The step between law enforcement and jails is Tribal Courts. Funding for Courts, for training and staff, (Judges, Prosecutors and clerks) is just as important as it is for cops. This is often ignored. For this bill to be successful, adequate attention must be paid to the Tribal Courts.

Finally, the recent centralization of the Bureau of Indian Affairs Police has insulated them from responding to legitimate questions and concerns of Tribal leaders. The chain of command makes it difficult to establish an exact location of supervisors who should respond to Tribal leaders. In reality, the police administration considers itself answerable only to itself. Authority over police should be returned to the Superintendents of the Agencies of the BIA.

Specific Comments.

Section 102. Declination Reports

This section is very important. The DOJ could accomplish this administratively. however; it would show the level of work that isn't being done in Indian Country. It is not surprising this type of data isn't being collected.

There is some concern that the crimes committed, and subsequently declined, will decrease in severity. So that it doesn't look like an aggravated assault was declined. that crime will be labeled a simple assault. Recommend the crime recorded for data purposes is the crime charged by the initial Tribal investigation.

Tribal Prosecutor can pursue the case in Tribal Court once the Feds decline. This is good. Tribal Courts are not prepared legally or financially to prosecute what will likely be a number of severe (felony-level) cases. They will need training and funding.

Maintenance of Records. Records should also be maintained by reservation.

Confidential or Privileged Communication. This should be defined so it can not be used as an excuse to limit evidence that would hinder Tribal prosecutions.

Section 103. Prosecution of Crimes in Indian Country

Tribal Liaisons. Indian Cases have always had the lowest priority in a U.S. Attorney Office. Pay or other incentives should be used to insure the Tribal Liaison does not become an unwanted position.

To Hold Trials and Other Proceedings in Indian Country. This seems to presume U.S. Attorneys will practice in Tribal Courts. Not a bad idea. Perhaps better to consider them Special Prosecutors and require they comply with the rules of the Tribal Court regarding practice by outside attorneys.

Section 106. Office of Tribal Justice

If this is the only legislative duty of the Office of Tribal Justice, care must be taken their other important duties are not neglected down the road.

Meaningful and Timely Consultation with Tribal Leaders. Is this distinguishable from consultation not labeled "meaningful and timely" later in the bill?

Coordinate Prosecutions of Crimes of National Significance. Is the intent of this so Duro/Hicks type cases won't reach the Supreme Court? It is likely impossible to convince DOJ that the OTJ should exclusively handle these types of cases. It may be better not to try.

Section 201. State Criminal Jurisdiction and Resources

Needs a section; if a Tribe chooses where the Tribe is paying for or capable of paying for a sufficient standard of law enforcement, retrocession of state jurisdiction will be permitted. Many gaming Tribes are capable but denied this authority by their states.

Section 202. Incentives for State, Tribal and Local Law Enforcement Cooperation

Grants should also be available to develop cooperative agreements. Many states and Tribes have the incentive but do not have the funding to develop agreements.

Section 304. Tribal Court Sentencing Authority

Increase to 3 years and $15,000 is reasonable. Three times current levels.

In Accordance with Guidelines Developed by the BIA. A deadline should be imposed so these guidelines do not take years to develop.

Appropriate Federal Facility. Though some will object, this should help rid Tribes of their most serious offenders.

Violent Crimes, Sexual Abuse and Serious Drug Offenses. An appropriate list of crimes for Federal prisons. Habeas Corpus and Federal review is still available.

Transfer of a Tribal Court Offender. Is it the intent to require a separate agreement for every prisoner that needs one? This is too cumbersome. It should be by charge . . . which would also limit favoritism.

Section 305. Indian Law and Order Commission

Experience and Expertise. These are not intended to be Tribal Leaders. Or even Indians. There should be some assurance Indians will be represented on this Commission.

Powers. The Commission should have subpoena authority because some, probably state officials, won't want to testify.

Commission Personnel Matters. There is no provision for staff. . . . Or even an Executive Director. It needs someone to compile the data. The Commissioners are volunteers. Most Tribes are poor. This assures only financially secure individuals and organizations are represented. It may cut out valuable applicants.

Section 403. Cops Tribal Resources Grant Program

It may be better to identify and designate a percentage of the grant funds for Tribes or Tribes, with limited grant-writing skills, will not get funded.

Section 404. Tribal Jails Program

(See above.) Set aside and designation of $35 million for Tribal Jails will, over time, go a long way toward fixing the Jail space problem in Indian Country. Staffing may be a larger problem than facilities. Need training and staff funding as well.

Section 601. Violation of Tribal Orders

Under consideration. Any additional protection for victims is valuable. Requiring that Tribal Courts meet certain standards before Order reaches Federal felony status is not unreasonable.

PREPARED STATEMENT OF JAMES S. RICHARDSON SR., PRESIDENT, FEDERAL BAR ASSOCIATION

Dear Chairman Dorgan and Vice Chairman Murkowski:

The Federal Bar Association is pleased to submit these comments for inclusion in the June 19 record of the Committee's hearing on the draft bill addressing law enforcement in Indian Country. The FBA shares the Committee's concerns about this subject and supports its effort to develop legislation designed to address a longstanding problem of great importance to the health and well-being of tribal communities.

In particular, the FBA supports the collaborative approach the Committee has taken and its commitment to working with tribal leaders in developing the legislation. The FBA, too, supports the principles of tribal sovereignty and self-determination. Accordingly, FBA supports modification of the draft legislation to extend criminal jurisdiction to tribal courts over non-Indian offenders in cases of domestic and family violence in accordance with tribal criminal law where the offense occurs within the territorial jurisdiction of an Indian tribe.

The FBA is an association of legal professionals that run the gamut of federal practice from attorneys practicing in small to large legal firms, attorneys in corporations and federal agencies, and members of the judiciary. The FBA's

Indian Law Section is the largest organization in the United States devoted to federal Indian legal issues. What our members have most in common is dedication to the advancement of the science of jurisprudence and promoting the welfare, interests, education, and professional development of all attorneys involved in federal law. Our primary objectives are to:

- Promote and support legal research and education
- Advance the science of jurisprudence
- Facilitate the administration of justice
- Foster improvements in the practice of Federal law.

The FBA's Indian Law Section, one of the largest and most active of the Association, is comprised largely of attorneys who practice in the field of federal Indian law.[1] The Section has long been concerned about law enforcement problems in Indian Country. The FBA, through its legislative agenda, has expressed support for Congressional action that removes the limitation on the jurisdiction of tribal courts over non-Indian perpetrators of family violence in Indian Country. Because of the significant and harmful impact of family violence, we urge the Committee to modify the draft bill by conferring appropriate jurisdiction to tribal courts over non-Indian perpetrators of family violence arising in Indian Country. A practical jurisdictional void exists that must be addressed. We are pleased to have the opportunity to share our views on this aspect of the problems the Committee has identified.

Under present law, a tribal court is without criminal jurisdiction over non-Indians, even those residing in Indian Country and who have family or domestic ties to tribal members.[2] Furthermore, except in certain limited circumstances (P.L. 280 states), only the United States possesses criminal jurisdiction to prosecute non-Indians for crimes committed against Indians. Unfortunately, federal law enforcement resources are often stretched too thin to provide the level of support needed in tribal communities to adequately confront this problem. The result is that an offending non-Indian spouse, domestic partner, or parent may escape the criminal justice system unless and until the violence has escalated to tragic proportions. Many U.S. Attorneys offices remain understaffed and inadequately trained to deal with domestic violence, sexual assault and domestic counseling issues. Ironically, the governmental entity closest to the

---

[1] The FBA's Indian Law Section officers include: D. Michael McBride III, Section Chair, *Crowe & Dunlevy, P.C.*; Allie Greenleaf Maldonado, *Little Traverse Bay Band of Odawa Indians*; Prof. Elizabeth Kronk, *University of Montana School of Law*; Lloyd B. Miller, *Sonosky, Chambers, Sachse, Endreson & Perry, LLP*; and Lawrence R. Baca. The Section's Committee on Legislation includes: Elizabeth L. Homer, Chair, *Homer Law Chartered*; Mark Van Norman, *National Indian Gaming Association*; Jay Johnson, *Chickasaw Enteprises*; Patricia Zell, *Zell & Cox Law PC*; Shenan Atcitty, *Holland & Knight*; Jeff Davis, *Asst. U.S. Attorney (W.D. Mich.)*.

[2] See *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978).

problem with the highest interest in redressing the situation is largely helpless to do anything about it given the current state of the law.

The Indian Child Protection and Family Violence Prevention Act,[3] was enacted in 1990, nearly two decades ago, in response to Congressional concerns about the seriousness of the problem of family violence in Indian Country. In it, the Congress acknowledged the responsibility of the United States to assist tribal governments to address the problem, stating as follows:

> ...there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and the United States has a direct interest, as trustee, in protecting Indian children who are members of, or are eligible for membership in, an Indian tribe. *Id.*

Since then, we have uncovered much more in relation to the scope and incidence of family violence. According to a study prepared by the Justice Department's Bureau of Justice Statistics, American Indians experienced violence at a rate (101 violent crimes per 1,000 American Indians) more than twice the rate for the Nation (41 per 1,000 persons).[4] Studies also indicate that Indian women suffer a disproportionate level of intimate partner violence and sexual assault.[5]

Family violence, including child physical and sexual abuse, child neglect and maltreatment, intimate partner violence, and elder abuse, takes place in homes across the country every day. It is far from unique in Indian Country, but there is one critical distinction. Current law undermines perhaps the most effective means of addressing it: utilization of the tribal criminal justice system. If tribal self-determination is to be meaningful, tribal governments must be free to not only enact law, but also to enforce it and punish wrongdoers, especially in relation to those who for all practical purposes have become an integral part of the tribal community and whose wrongful conduct has such a devastating and longstanding impact upon it. The only practicable means to remedy or even begin to ameliorate the problem is to empower tribal government to safeguard the most vulnerable members of tribal communities by providing effective law enforcement intervention and access to the tribe's criminal justice system.

There is no question that family and domestic violence has a devastating impact on both children and adults in violent households and communities,

---

[3] 25 U.S.C. 3201.
[4] Perry, Steven W., American Indians and Crime, Washington, D.C., Bureau of Justice Statistics, December 2004, NCJ 203097.
[5] Tjaden, Patricia, and Nancy Thoennes, Extent, Nature, and Consequences of Intimate Partner Violence, Findings from the National Violence Against Women Survey, Washington, D.C.: National Institute of Justice, July 2000, NCJ 181867, p. 25.

whether they are direct victims of abuse or simply helpless witnesses to it. The evidence is overwhelming. Numerous Justice Department studies reveal that children exposed to violence at an early age have a drastically increased propensity to become either perpetrators of abuse or victims of violence in adulthood. In May 2000, the Bureau of Justice Statistics (BJS) published a report based on data from the 1993-1998 National Crime Victimization Survey (NCVS), which compiles crime data throughout the U.S. The report stated that between 1993 and 1998, the average number of victims of intimate partner violence who lived with children under the age of 12 was 459,590.[6] The researchers indicated that such incidence of family violence is sufficient to raise concerns about the very future of American society, even if only one child in each of those households is exposed to violence.

In a study commissioned by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the author of the report stated:

> Contemporary social scientists agree that the continued maltreatment of children today is primarily the result of poorly trained adults who, in their roles as parents and caretakers, attempt to instill discipline and educate children within the context of the violence they themselves experienced as children.[7]

This and other reports describe a process through which abused children or witnesses to abuse often become violent offenders themselves, a phenomenon described as "cycle of violence." In a study conducted by the National Institute of Justice (NIJ) and conducted in a metropolitan Midwestern county area, arrest records of 908 abused and/or neglected children, age 11 or younger at the time of abuse/neglect, were compared with arrest records for 667 children who were not abused or maltreated. Initial results were gathered in 1988 and additional arrest data was gathered in 1994. The study found that "being abused or neglected as a child increased the likelihood of arrest as a juvenile by 59 percent, as an adult by 28 percent, and for a violent crime by 30 percent."[8]

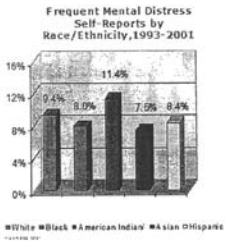
Additionally, children who do not become offenders or victims may face great obstacles in emotional, mental, and physical development. These obstacles include attention deficits, educational difficulties, substance abuse, mental health problems, symptoms of post-traumatic stress disorder, and lack of appropriate social skills.[9] Another aspect of family violence includes the crime of elder

---

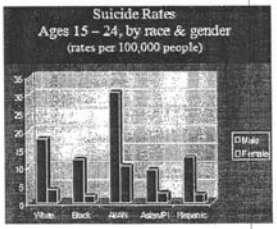
[6] Intimate Partner Violence, Bureau of Justice Statistics, 2000.
[7] Bavelock, Stephen, The Nurturing Parenting Programs, Bulletin, Office of Juvenile Justice and Delinquency Prevention Programs, 2000.
[8] An Update on the Cycle of Violence, National Institute of Justice, 2001.
[9] Safe From the Start: Taking Action on Children Exposed to Violence, Office of Juvenile Justice and Delinquency Prevention, 2000.

abuse. In 2004, the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program conducted a study on violence among family members and intimate partners. The data for this study came from the UCR Program's National Incident-Based Reporting System (NIBRS) database. The findings report that 444 elderly relatives were the victims of murder/non-negligent manslaughter between 1996 and 2001.[10]

Given the data and research findings, it is not difficult to recognize the likely connection between the high incidence of violent crime in Indian Country and the incidence of family violence, but there are other significant indicators as well. According to the Indian Health Service (IHS), more than one-third of the demand on health care facilities in Indian Country is related to mental health, alcoholism, and substance abuse. The IHS reports:



Considerable disparities exist in the psychological well-being of AI/AN people compared to the general population. The suicide rate for American Indians is 70% higher than the general population. Also, AI/ANs ages 15-24 have the highest rates of suicide of any racial group of the same age group in the U.S. Compared to the general population, AI/ANs tend to underutilize services, experience higher therapy drop-out rates, are less likely to respond to treatment, and have negative opinions about non-Indian providers. Also, poverty continues to afflict AI/AN communities at significant rates. Poverty often leads to a lack of housing and overcrowding in homes, as well as other socioeconomic, education, and health problems. Economic concerns are often related to domestic violence, sexual assault, and childhood sexual abuse. Studies have shown that AI/AN women are 2.5 times more likely to be sexually assaulted as other women in the United States. The potential for behavioral health concerns is evident.[11]



During the recent June 19 hearing, the Committee heard excellent testimony from tribal leaders, law enforcement officials, each of whom confirmed through personal knowledge and experience, the very disturbing conditions that

[10] Crime in the United States – 2003, Federal Bureau of Investigation, 2004.
[11] IHS Fact Sheet, Behavioral Health, http://info.ihs.gov/Bhealth.asp

federal researchers have confirmed through formal study. According the Justice Department's report on American Indians and Crime:[12]

> The rate of violent victimization is well above that of other U.S. racial or ethnic subgroups and is more than twice as high as the national average.
>
> American Indians are more likely than people of other races to experience violence at the hands of someone of a different race, and the criminal victimizer.
>
> Approximately 60% of American Indian victims of violence, about the same percentage as of all victims of violence, described the offender as white.
>
> The rate of violent victimization among American Indian women was more than double that among all women.

The Indian Health Service reports that homicide is the third leading cause of years of potential life lost before age 65 for Native Americans.[13] It estimates an even higher percentage of inter-racial violence than the Bureau of Justice Statistics, reporting that "at least 70% of the violent victimizations experienced by American Indians are committed by persons not of the same race — a substantially higher rate of interracial violence than experienced by white or black victims."[14]

The FBA believes that conditions in Indian Country will not change unless tribal governments have the tools to address these problems. Regardless of the good intentions of people and agencies outside of tribal governments, there is no substitute for action by tribal government institutions when it comes to resolving problems within the tribal community. To paraphrase an old adage, the best government is the government closest to the people. To empower tribal law enforcement to handle these matters and tribal courts to entertain them will provide long delayed justice to some of this Nation's most vulnerable and neglected victims of violent crime.

Thank you for the opportunity to submit these comments for inclusion in the hearing record. Once again, we applaud the Committee for the collaborative approach toward the crafting of legislation to address the improvement of law enforcement efforts in Indian Country. The leaders of our Indian Law Section join

---

[12] Greenfield, Lawrence A. and Smith, Steven K., American Indians and Crime, http://www.ojp.usdoj.gov/bjs/
[13] *Supra* at n.10.
[14] *Id.*

me in extending our interest in continuing to work with the Committee on the legislation in the days ahead.

Sincerely yours,

James S. Richardson, Sr.
President

WRITTEN QUESTIONS SUBMITTED BY HON. BYRON L. DORGAN TO HON. RON HIS HORSE IS THUNDER*

Question 1. Can you please describe the Standing Rock Tribe's Court system? Please indicate whether there is an appellate court system, public defenders' office, and other relevant information.

Question 2. How do you the BIA could more effectively performing its law enforcement duties for direct service tribes like Standing Rock?

Question 3. In their testimony, the Interior and Justice Departments indicated their opposition to Section 305 of the draft bill that would increase tribal court sentencing authority to 3 years imprisonment. The agencies stated their concern that the provision could adversely impact defendants' constitutional rights in tribal courts. Please discuss your thoughts on the protection of constitutional rights in the Standing Rock Tribal Court system?

Question 4. You mentioned that Operation Dakota Peacekeeper is already providing increased enforcement of crimes on your Reservation. Can you please additional details on the effects of the Operation, identify the most positive aspects of the Operation, and provide a recommendation of what essential components of the program should be maintained.

WRITTEN QUESTIONS SUBMITTED BY HON. LISA MURKOWSKI TO HON. RON HIS HORSE IS THUNDER*

Question 1. This draft bill authorizes the Drug Enforcement Administration to award technical assistance grants to tribal law enforcement agencies. What other recommendations do you have to improve relations between Indian tribes and the DEA and drug abuse prevention and interdiction in Indian Country?

Question 2. Your testimony suggested improving the availability of housing on the Indian reservations to assist in recruiting and retaining law enforcement officers. What other recommendations do you have to assist in the recruitment and retention of law enforcement officers?

Question 3. The Department of ,Justice has raised several concerns about providing declination reports to tribal justice officials and indicated that releasing case files to the tribal prosecutors may generate potentially discoverable material. You suggested that the federal prosecutors should release the entire case file to tribal prosecutors so they may proceed accordingly.

How could tribes protect the confidentiality of such information so that it does not impede the successful prosecution of offenders in either the tribal or federal courts?

Question 4. The Operation Dakota Peacekeeper program has increased the number of law enforcement officers on your reservation. However, you had indicated concerns regarding the temporary nature of that program. Would it be more beneficial to the law enforcement efforts and public safety in general to make permanent

---

*Response to written questions was not available at the time this hearing went to press.

across Indian Country programs such as Operation Dakota Peacekeeper and the Safe Indian Communities Initiative?

WRITTEN QUESTIONS SUBMITTED BY HON. BYRON L. DORGAN TO WALTER E. LAMAR*

Question 1. The Committee has heard concerns about the BIA's Internal Affairs Division. Please describe your thoughts on the possible consequences of the current Internal Affairs system. And, if you believe necessary, do you have any recommended legislative proposals to ensure that the BIA and tribal law enforcement agencies have adequate internal affairs practices?

Question 2. As a former FBI agent serving Indian Country, what in your opinion could be done on the part of the FBI—other than dedicating additional positions—to aid the investigation of crimes in Indian Country?

WRITTEN QUESTIONS SUBMITTED BY HON. LISA MURKOWSKI TO WALTER E. LAMAR*

Question 1. Section 303 of the draft bill would allow tribes broader access to national criminal databases. What recommendations do you have for improving the tribal law enforcement officials' ability to access the NCIC as well as other data or information sharing capabilities?

Question 2. Background investigations and proper training are costly for Indian tribes. Section 301 of the draft bill authorizes law enforcement officers to obtain training through state police academies. What are other options should be made available to Indian tribes, such as accessing the FBI fingerprinting systems, to conduct proper background investigations and training which might decrease the costs incurred by Indian tribes in the hiring of qualified law enforcement officers?

Question 3. There are a significant number of law enforcement agencies and jurisdictions involved in Indian Country. Cross-deputization agreements have been one tool to improve coordination between the agencies and reduce confusion over such matters as jurisdiction. Section 301 of the draft bill also contemplates a plan being developed to enhance the provision of special law enforcement commissions to tribal and state law enforcement officers. What other tools are needed to ensure adequate coordination and response from and between the various law enforcement agencies is provided to victims of crimes in Indian Country?

Question 4. Your testimony indicated that the Federal Bureau of Investigation may have the number of their cases declined by the U.S. Attorney's Offices, but may not include the BIA or tribal cases referred to the U.S. Attorney's Offices. What other recommendations do you have to gather comprehensive data on the declination rates?

WRITTEN QUESTIONS SUBMITTED BY HON. BYRON L. DORGAN TO KELLY GAINES STONER*

Question. I want to clarify that the enhanced sentencing provision for tribal courts in Section 304 is optional. The intent of the provision is to maintain the current standards for prosecutions subject to 1 year or less. However, if a Tribe chooses to enact criminal laws subject to sentences between more than 1 year and up to three years, the tribal court must afford the defendant certain protections. I agree that funding for tribal public defense programs must be included. Section 402 of the draft bill would reauthorize the Indian Tribal Justice Support and Technical and Legal Assistance Acts, which includes programmatic funding for tribal public defender programs. In your opinion, what other initiatives should be included in these tribal courts programs? For example, how could the BIA or Tribes collect and provide better data on tribal court statistics?

WRITTEN QUESTIONS SUBMITTED BY HON. LISA MURKOWSKI TO KELLY GAINES STONER*

Question 1. What types of training should be included for law enforcement officials to increase the chances of successful prosecutions of domestic and sexual violence?

---

*Response to written questions was not available at the time this hearing went to press.

Question 2. Your testimony indicated that you referred cases to the federal prosecutor and either did not receive a declination report or received a delayed response from the federal prosecutor. The Committee received testimony from the Department of Justice that there are several serious concerns about releasing declination reports. What is your view about those concerns? Do you have any recommendations for how the Federal and tribal prosecutors and law enforcement could work together to address these concerns?

Question 3. The Department of Justice indicated that it opposes codifying the duties of the tribal liaisons within the U.S. Attorney's Offices which are outlined in the draft bill. What would you recommend for the U.S. Attorney's Offices in defining the tribal liaisons roles so that Indian Country crimes would receive significant attention, priority and be addressed in a consistent government to government relationship?

Question 4. The Committee has heard that in some jurisdictions the tribal prosecutors must turn cases over to the FBI, who then must review and present them to the U.S. Attorney's Office. Was this the case when you were the tribal prosecutor at Fort Totten? What problems, if any, could tribal prosecutors face in such circumstances?

WRITTEN QUESTIONS SUBMITTED BY HON. BYRON L. DORGAN TO HON. GRETCHEN C. F. SHAPPERT *

Question 1. Please provide the number of federal reservation-based misdemeanor prosecutions by District for the years 2006 and 2007. Please indicate the percentage of Native American defendants in these cases.

Question 2. The draft bill would enable the use of declination reports as a positive tool to coordinate prosecutions with tribal prosecutors, and to inform Congress regarding where additional resources are needed. This information is not available. Please provide a list by Federal District of the percentage of Indian Country criminal cases that were declined by U.S. Attorneys offices nationwide in 2006 and 2007? Again, by Federal District, please indicate the general reasons for declinations, attributing percentages to those reasons?

Question 3. Please describe the Department's policy on taping recording interviews with suspects, and provide reasons behind the policy.

Question 4. Please describe the Federal Bureau of Investigations efforts to aid background investigations for potential employees of gambling facilities operated by Indian Tribes, including the use if any of the Integrated Automated Fingerprint Identification System (IAFIS). Would the Department support similar coordination for purposes of expediting background checks for candidates for tribal and BIA police and corrections officers?

Question 5. Please provide the current number of offenders in federal custody (the Federal Bureau of Prisons System) that were convicted in either State, local government, or territorial courts?

Question 6. The Interior Department-contracted "Master Plan for Justice Services in Indian Country" indicates that most tribal jails have reached or will soon reach the end of their useful life. It notes that 90 percent of jails older than 5 years should be replaced. And it notes that contract beds at State and local jails are overcrowded and often far from remote tribal communities.

You indicated the Department's opposition to the proposal to permit coordination between tribal courts and the Federal Bureau of Prisons. What viable alternatives to incarceration for tribal justice programs would the Department support?

WRITTEN QUESTIONS SUBMITTED BY HON. LISA MURKOWSKI TO HON. GRETCHEN C. F. SHAPPERT *

Question 1. Your written testimony indicated that the Department of Justice N–Dex Program office is developing relationships with several Indian tribes to submit data to the N–Dex system. What kind of infrastructure does this N–Dex system requires for tribal agency participation?

Question 2. Your written testimony indicated that the Department's efforts in Indian Country have been above average across the board. As an example, your testimony cites that in FY 2006, the Department filed 606 cases against 688 defendants

* Response to written questions was not available at the time this hearing went to press.

in Indian Country which is nearly 5 percent higher than the average rate of filing since 1994 of 580 cases against 643 defendants per year. Does that 5 percent figure correspond with the percentage increase in crime rates in Indian Country? What is the basis for determining an "above average" effort across the board?

Question 3. Your written testimony states that the number of FBI agents working Indian Country cases has increased by 7 percent since 2001. What has been the percentage increase or decrease in work-hours or Time Utilization Recordkeeping hours dedicated to Indian Country since 2001?

Question 4. Your written testimony indicates that the Department has concerns about releasing declination reports for several reasons, particularly the creation of potentially discoverable material. What kind of information do you think could be conveyed to the tribal justice officials to enable them to understand the status of the case and make a decision on proceeding in tribal court without creating potentially discoverable material?

WRITTEN QUESTIONS SUBMITTED BY HON. BYRON L. DORGAN TO W. PATRICK RAGSDALE *

Question 1. Please explain the Interior Department's efforts to coordinate with the Justice Department on the construction/renovation and the operation/maintenance of tribal jails.

Question 2. The Interior Department-contracted "Master Plan for Justice Services in Indian Country" indicates that most tribal jails have reached or will soon reach the end of their useful life. It notes that 90 percent) of jails older than 5 years should be replaced. And it notes that contract beds at State and local jails are overcrowded and often far from remote tribal communities.

You indicated the Department's opposition to the proposal that would enhance tribal court sentencing authority to 3 years, and permit coordination between tribal courts and the Federal Bureau of Prisons. What viable alternatives to incarceration for tribal justice programs would the Department support?

Question 3. Please describe the Department's efforts to fight juvenile crime in Indian Country.

Question 4. Please provide a detailed spending plan for the $23.7 million appropriated in FY 2008 for the Department's Safe Indian Communities Initiative? Include the amount spent on Operation Dakota Peacekeeper and other implementation to date.

Question 5. Please describe in your opinion what aspects of Operation Dakota Peacekeeper are working, and comment on whether and how the Operation will duplicated in other tribal communities.

WRITTEN QUESTIONS SUBMITTED BY HON. LISA MURKOWSKI TO W. PATRICK RAGSDALE *

Question 1. The draft bill would require the Office of Justice Services to coordinate with the Department of Justice to develop specialized family violence training for all of the law enforcement officials and prosecutors responsible for Indian country. What kind of training currently exists for such specialized family and domestic violence training for BIA and tribal law enforcement? How many BIA law enforcement officers have received this specialized type of family and domestic violence training?

Question 2. Your written testimony indicates that the Department may have constitutional and federal policy concerns with increasing the tribal court sentencing authority as well as placing Indian defendants sentenced by tribal courts in the federal Bureau of Prisons. You stated that there may need to be a separation of powers within tribal governments as one means of addressing these concerns. Please elaborate on your statement about separation of power—in particular, how or why it would address constitutional concerns.

Question 3. Would a "separation of powers" requirement also require some tribes to amend their constitutions?

Question 4. Your testimony indicated that the Operation Dakota Peacekeepers Initiative is for a limited time, but that the number of law enforcement officers is reaching the standard under the GAP Analysis and that it appears to be making

---

* Response to written questions was not available at the time this hearing went to press.

a difference. You also mentioned that you will review this initiative to see if it could be employed at other Indian reservations. What other initiatives could be employed immediately on other Indian reservations, some of which are experiencing even higher crime rates than the Standing Rock Sioux Reservation?

Question 5. Your testimony indicated that there are Indian reservations with crime rates as high as 32 times the national average. Please explain the basis for the statement that crime rates on certain Indian reservations were 32 times the national average?

Question 6. How is the BIA coordinating with tribal law enforcement to improve the background checks process?

Question 7. How does the Indian Child Protection and Family Violence Act improve the background check process?

Question 8. Please describe the process followed by the BIA and Federal Bureau of Investigation to coordinate their efforts in investigating crimes in Indian Country?

Question 9. Your written testimony indicated that the Incident Management Analysis Reporting System (IMARS) is intended to provide a common information sharing capability across all participating functional areas within the Department of Interior for capturing and reporting law enforcement information. Once it is Department-wide, OJS will determine the feasibility of providing an opportunity for tribal collection of crime data using IMARS. What is the time frame for IMARS becoming Department-wide? How will OJS determine the feasibility of allowing Indian tribes to participate in the IMARS?

Question 10. What can be accomplished in the interim to assist Indian tribes in law enforcement data collection and information sharing?

Question 11. Your written testimony indicated that consistency in standards and staffing among the detention facilities needs to be assured to alleviate both constitutional and federal policy concerns regarding increasing the tribal sentencing authority from one year to three years. What assistance can the BIA provide to Indian tribes to achieve these standards and staffing levels?

WRITTEN QUESTIONS SUBMITTED BY HON. PETE V. DOMENICI TO W. PATRICK RAGSDALE*

Question 1. I often hear from New Mexico tribal officials regarding the difficulties tribal leaders face in trying to deal with crime including drug activity, gangs and other criminal activity. What program(s) or assistance does BIA provide to local tribes for the training of local tribal law enforcement officers?

Question 2. What law enforcement resources, both officers and support personnel, does the BIA have deployed in New Mexico at this time?

Question 3. Are crime rates on New Mexico reservations higher than those of other states per capita?

Question 4. In 2004, the Department of Interior Inspector General issued a report entitled "Neither Safe Nor Secure." The report outlined the poor conditions of detention facilities throughout Indian Country. Since the 2004 report, how has the BIA and DOJ worked together to plan for correctional facility replacement?

Question 5. What is the status of plans for correctional facility replacement and renovation and specifically in New Mexico?

Question 6. Would it be helpful for Congress to clarify what type of collaborative process would be required for BIA and DOJ's work on correctional facility replacement and collaboration?

WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO W. PATRICK RAGSDALE*

Question 1. Regarding data collection, do all tribes participate in the BIA's crime data collection efforts? Do they all use the same standards? How many tribes are still submitting hard copies of their data and what effort is being made to move these tribes towards electronic submission?

Question 2. At the conclusion of Operation Dakota Peacekeeper could you provide a report on the successes and failures of the operation as well as its long term project effect on crime on the Standing Rock Sioux Tribe?

---

*Response to written questions was not available at the time this hearing went to press.

Question 3. What percentage of BIA officers are cross-commissioned? How about tribal officers?

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BYRON L. DORGAN TO HON. JOE A. GARCIA

Question 1. In their testimony, the Interior and Justice Departments indicated their opposition to Section 304 of the draft bill that would increase tribal court sentencing authority to 3 years imprisonment. The agencies stated their concern that the provision could adversely impact defendants' constitutional rights in tribal courts. Please discuss NCAI's position on the protection of constitutional rights in tribal court systems?

Answer. Section 305 of the draft legislation would extend tribal sentencing limitations under the Indian Civil Rights Act to provide for up to 3 year sentences for more serious offenders. In the original 1968 law, tribal sentencing authority was limited to 6 months or $500. In 1986, the authority was expanded to 1 year or $5000.

As a general matter, the rights guaranteed by the United States Constitution do not apply to tribal courts. Rather, the Indian Civil Rights Act (ICRA) incorporates similar protections as are found in the U.S. Constitution and makes them applicable to tribal courts. As such, defendants in tribal courts do not have "constitutional rights" other than rights recognized in the tribal constitution. Defendants in tribal courts do, of course, have a statutorily guaranteed right to many of the due process protections contained in the U.S. Constitution under ICRA.

We assume that the federal agencies are raising concerns that the full panoply of rights that have been enumerated in the U.S. Constitution would not be available to defendants in tribal courts, to the extent that some of those rights are triggered by a sentence that is greater than one year.

First, the Supreme Court has recently confirmed that an Indian tribe acts as a separate sovereign when it prosecutes its own members or nonmember Indians, and such prosecution is not an exercise of federal power. *United States v. Lara,* 541 U.S. 193 (2004). The power that Congress would exercise here is Congress's broad power in Indian affairs with its source in several places in the Constitution, and there is "no explicit language in the Constitution suggesting a limitation on Congress' institutional authority to relax restrictions on tribal sovereignty previously imposed by the political branches." *Lara,* 541 U.S. at 546.

As a matter of constitutional law, the length of the sentence imposed matter differently across constitutional rights. For example, the Sixth Amendment right to counsel is applicable as long as the defendant receives any imprisonment at all. See, *Alabama v. Shelton,* 535 U.S. 654 (2002). The right to a jury trial does not attach to all criminal offenses, but only attaches for all offenses that are not "petty offenses," which the Supreme Court has defined as six months in jail or less. See, *Blanton v. City of North Las Vegas, Nev.,* 489 U.S. 538 (1989).

The Fifth Amendment provides a right to a grand jury indictment for "infamous" crimes, and a one-year sentence is the dividing line for infamous crimes. See, e.g., *U.S. v. Fitzgerald,* 89 F.3d 218 (5th Cir. 1996) ("Any federal offense punishable by imprisonment for more than one year is an offense for which the Fifth Amendment requires a grand jury indictment."). This is the only criminal procedure issue we can find that would relate to the expansion of tribal sentencing authority beyond one year.

However, unlike many other provisions of the Bill of Rights, the Supreme Court has ruled that the right to indictment by grand jury is not a fundamental aspect of due process, and was not incorporated to apply to state courts via the Fourteenth Amendment, and states therefore may elect not to use grand juries. *Hurtado v. California,* 110 U.S. 516 (1884). "[W]e are unable to say that the substitution for a presentment or indictment by a grand jury of the proceeding by information, after examination and commitment by a magistrate, certifying to the probable guilt of the defendant, with the right on his part to the aid of counsel, and to the cross-examination of the witnesses produced for the prosecution, is not due process of law."

Because tribal prosecution is not an exercise of federal power, and because the right to a grand jury indictment has never been considered a fundamental aspect of due process, we do not believe that the expansion of tribal sentencing authority should trigger constitutional concerns for Congress. However, NCAI strongly supports the protection of due process in tribal courts, and we note that the legislation would specifically protect the right to assistance of counsel and the general right to due process in criminal proceedings.

Question 2. Please provide your legislative recommendations, if any, to initiatives that should be included in the reauthorizations of the tribal courts, tribal youth, and other tribal justice programs.

Answer. As noted in our testimony, one of the primary recommendations of tribal leaders has been to make funding from the Department of Justice programs more readily available and more useful for the actual needs on reservations. Right now, the funding requires a significant grant-writing capability and is often compartmentalized in ways that do not make sense. Our recommendation would be for Congress to consider something like the following:

25 U.S.C. § 458__—to read:

(a) Notwithstanding any other provision of law, the Attorney General shall carry out a program within the Department of Justice to be known as the Tribal Justice Self-Determination and Self-Governance Program.

(b) Notwithstanding any other provision of law, the Attorney General shall enter into contracts, compacts and funding agreements in accordance with Title I and IV of the Indian Self-Determination and Education Assistance Act, P.L. 93–638, as amended, with any Indian tribe who elects to utilize the authority of this title to govern any funds available to Indian tribes under the authority of the Attorney General.

(c) Notwithstanding any other provision of law, the negotiation and implementation of each agreement entered into under this section shall be governed by this title and the provisions of Title I or IV of the Indian Self-Determination and Education Assistance Act, P.L. 93–638, as amended.

(d) Regulations.

(I) Not later than 90 days after [DATE OF ENACTMENT], the Secretary shall initiate procedures under subchapter III of chapter 5 title 5 to negotiate and promulgate such regulations as are necessary to carry out this part.

(II) A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this section shall have as its members only Federal and tribal government representatives, a majority of whom shall be representatives of Indian tribes with self-governance agreements under this chapter.

(III) The Secretary shall adapt the negotiated rulemaking procedures to the unique context of Self-Determination and Self-Governance and the government-to-government relationship between the United States and the Indian tribes.

(IV) The lack of promulgated regulations shall not limit the effect of this part.

Question 3. Please include any other recommendations or comments on the draft bill.

Answer. NCAI strongly encourages the Committee to consider including the pilot project to expand tribal jurisdiction in cases of domestic violence that was included in the concept paper for the bill last November. This provision was widely supported by Indian country and is a common-sense solution to one of the most pressing problems in tribal communities. Tribal governments should have the authority to intervene when a non-Indian who has chosen to become a member of the tribal community abuses his Indian family members.

NCAI also encourages the Committee to consider including some of the recommendations for improving the effectiveness of the Adam Walsh Act in Indian Country that were made at the July 17, 2008 hearing on sex offender registration.

There are many excellent provisions in the legislation and NCAI has had a significant opportunity to provide input, so we will limit our recommendations at this time to these two, and encourage the Committee to continue to continue its efforts to receive recommendations from tribes.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. LISA MURKOWSKI TO HON. JOE A. GARCIA

Question 1. Both the Departments of the Interior and Justice appear to have serious concerns about provisions in the draft bill that would increase tribal court sentencing authority and allow tribally-sentenced Indian defendants to serve their time in the Bureau of Prisons system. How might tribes address the additional requirement of the defendant's right to legal counsel in implementing the increase in tribal sentencing authority to three years as contemplated by the draft bill?

Answer. First, NCAI strongly supports the provision which would allow tribes to send serious offenders to serve their time in the Bureau of Prisons system. As the Committee is aware, tribal detention facilities have been neglected and are significantly under funded. This is one of the most important provisions of this legislation.

Second, we agree that protecting the right to counsel is important to protect the constitutionality of tribal justice systems. In *United States v. Lara,* the Supreme Court left open the question of whether additional due process challenges could be raised to tribal prosecutions. "Hence, we need not, and we shall not, consider the merits of *Lara's* due process claim. Other defendants in tribal proceedings remain free to raise that claim should they wish to do so. See 25 U.S.C. § 1303 (vesting district courts with jurisdiction over habeas writs from tribal courts)."

NCAI's understanding is that a significant number of tribes already provide counsel to indigent persons who are prosecuted in tribal courts for offenses that could include imprisonment. For the remaining tribes, the issue is largely funding. We would encourage Congress to provide additional funds for tribal justice systems, but also note that the proposed statute would give tribes some flexibility. If the tribe chooses to impose sentences greater than one year, the tribal court would be able to provide counsel for indigent defendants on a case-by-case basis.

Question 2. The Operation Dakota Peacekeeper program will provide additional law enforcement officers on the Standing Rock Sioux Indian reservation for a limited period of time. Would it be more beneficial to the law enforcement efforts and public safety in general to make permanent throughout Indian Country programs such as Operation Dakota Peacekeeper and the Safe Indian Communities Initiative?

Answer. NCAI strongly agrees that increased law enforcement presence and focus is the top priority to improve law enforcement in Indian communities. Tribal leaders have made this their first concern, and this has only been reinforced by the recent successes of the Dakota Peacekeeper Operation. As noted in our testimony, we strongly urge increased resources for BIA law enforcement and the creation of specifically focused enforcement units within the Department of Justice and the Federal Bureau of Investigation.

Question 3. The Committee received testimony recommending that, to improve and prioritize law enforcement, the Office of Justice Services within the Bureau of Indian Affairs should be elevated to a Bureau directly responsible to the Assistant Secretary for Indian Affairs, similar in status to the Bureau of Indian Education, and the Deputy Director elevated to a Director. Does the NCAI agree with this recommendation?

Answer. NCAI does not agree with the recommendation at this time. Tribal leaders have been opposed to reorganization efforts to separate out the functions of the Bureau of Indian Affairs for two primary reasons. First, creating a separate bureaucracy requires the creation of additional high-level management positions that take away resources from reservation-level services. The priority of tribal leaders is to maximize the services provided at the reservation level, and this is particularly true for law enforcement. Second, the creation of a separate bureaucracy tends to "stove-pipe" decision-making and makes it more difficult to coordinate action at the local level and create bureaucratic delays. To our knowledge, this is not a question that has been discussed with tribal leadership and we would urge the BIA and Congress to take no action to reorganize the Office of Justice Services without support from tribal leaders.

United States Senate

WASHINGTON, DC 20510

June 12, 2008

To whom it may concern:

In the 110th Congress, the Senate Committee on Indian Affairs held four hearings and convened a number of listening sessions and meetings to discuss the growing concern of violent crime on Indian reservations. These hearings and meetings confirm what many Indian country residents have known for some time: many tribal communities are in the midst of a public safety crisis.

On November 7, 2007, the Senate Committee on Indian Affairs Chairman released a concept paper consisting of comments and recommendations from interested parties to address this crisis. Committee staff solicited further comments and recommendations since release of the concept paper.

Attached is a discussion draft of proposed legislation that would provide a variety of new tools to address the public safety concerns facing Indian country. This comprehensive approach would: (1) empower tribal governments to address crime in communities located on Indian reservations or restricted Indian lands and provide them with the necessary resources to improve their justice systems; (2) ensure greater accountability on the part of the federal government for its responsibility to provide public safety on Indian lands; (3) encourage greater cooperation at the state and local level; and (4) improve data collection relating to crimes in Indian country and information sharing between tribal, state, and federal law enforcement agencies.

The Committee is interested in obtaining comments on this draft bill from all affected stakeholders in this matter, including but not limited to, people who live or work on Indian reservations or Indian lands, tribal governments and agencies, and state and local governments and agencies. We intend to continue working with all affected stakeholders throughout the legislative process.

Please review the attached draft bill and forward any comments with the subject line "Discussion Draft Indian Law and Order Bill" via facsimile to (202) 228-2589, via e-mail to john_harte@indian.senate.gov, or by U.S. mail to the address below:

Senate Committee on Indian Affairs
Re: Draft Indian Law and Order Bill
838 Hart Senate Office Building
Washington, DC 20510

Thank you for your time and interest in this important matter.

Sincerely,

BYRON L. DORGAN
United States Senator

JOHN THUNE
United States Senator

TIM JOHNSON
United States Senator

JON TESTER
United States Senator

Title: To amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "Tribal Justice Improvement Act of 2008".

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec.1.Short title; table of contents.
Sec.2.Findings; purposes.
Sec.3.Definitions.
TITLE I—FEDERAL ACCOUNTABILITY AND COORDINATION
Sec.101.Office of Justice Services responsibilities.
Sec.102.Declination reports.
Sec.103.Prosecution of crimes in Indian country.
Sec.104.Administration.
TITLE II—STATE ACCOUNTABILITY AND COORDINATION
Sec.201.State criminal jurisdiction and resources.
Sec.202.Incentives for State, tribal, and local law enforcement cooperation.
TITLE III—EMPOWERING TRIBAL LAW ENFORCEMENT AGENCIES AND TRIBAL GOVERNMENTS
Sec.301.Tribal police officers.
Sec.302.Drug enforcement in Indian country.
Sec.303.Access to national criminal information databases.
Sec.304.Tribal court sentencing authority.
Sec.305.Indian law and order commission.
TITLE IV—TRIBAL JUSTICE SYSTEMS

Sec.401.Indian alcohol and substance abuse.
Sec.402.Indian tribal justice; technical and legal assistance.
Sec.403.COPS tribal resources grant program.
Sec.404.Tribal jails program.
Sec.405.Tribal probation office liaison program.
Sec.406.Tribal youth program.
TITLE V—INDIAN COUNTRY CRIME DATA
Sec.501.Tracking of crimes committed in Indian country.
Sec.502.Grants to improve tribal data collection systems.
Sec.503.Criminal history record improvement program.
TITLE VI—DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROSECUTION AND PREVENTION
Sec.601.Violation of tribal orders.
Sec.602.Prisoner release and reentry.
Sec.603.Domestic and sexual violent offense training.

SEC. 2. FINDINGS; PURPOSES.

(a) Findings.—Congress finds that—

(1) the United States has distinct legal, treaty, and trust obligations to provide for the public safety of Indian country;

(2) several States have been delegated or have accepted responsibility to provide for the public safety of Indian country within the borders of the States;

(3) Congress and the President have acknowledged that—

(A) tribal law enforcement officers are often the first responders to crimes on Indian reservations; and

(B) tribal justice systems are ultimately the most appropriate institutions for maintaining law and order in Indian country;

(4) less than 3,000 tribal and Federal law enforcement officers patrol more than 56,000,000 acres of Indian country, which reflects less than \1/2\ of the law enforcement presence in comparable rural communities nationwide;

(5) on many Indian reservations, law enforcement officers respond to distress calls without backup and travel to remote locations without adequate radio communication or access to national crime information database systems;

(6) the majority of tribal detention facilities are in a state of disrepair, and the Department of the Interior has identified a multibillion-dollar backlog in funding for tribal detention

facilities;

(7) tribal courts—

(A) are the primary arbiters of criminal and civil justice for actions arising in Indian country; but

(B) have been historically underfunded;

(8) tribal court sentencing authority is limited to sentences of not more than 1 year of imprisonment, forcing tribal communities to rely solely on the Federal Government and certain State governments for the prosecution of felony crimes in Indian country;

(9) a significant percentage of cases referred to Federal agencies for prosecution of alleged crimes occurring in Indian country are declined to be prosecuted;

(10) the complicated jurisdictional scheme that exists in Indian country—

(A) has a significant negative impact on the ability to provide public safety to Indian communities; and

(B) has been increasingly exploited by criminals;

(11) the violent crime rate in Indian country is—

(A) nearly twice the national average; and

(B) more than 20 times the national average on some rural Indian reservations;

(12)(A) domestic and sexual violence against Indian and Alaska Native women has reached epidemic proportions;

(B) 34 percent of Indian and Alaska Native women will be raped in their lifetimes; and

(C) 39 percent of Indian and Alaska Native women will be subject to domestic violence;

(13) the lack of police presence and resources in Indian country has resulted in significant delays in responding to victims' calls for assistance, which adversely affects the collection of evidence needed to prosecute crimes of domestic and sexual violence;

(14) alcohol and drug abuse plays a role in more than 80 percent of crimes committed in Indian country;

(15) the rate of methamphetamine addiction in Indian country is 3 times the national average;

(16) the Department of Justice has reported that drug organizations have increasingly targeted Indian country to produce and distribute methamphetamine, citing the limited law enforcement presence and jurisdictional confusion as reasons for the increased activity;

(17) tribal communities face significant increases in instances of domestic violence, burglary, assault, and child abuse as a direct result of increased methamphetamine use on Indian reservations;

(18)(A) criminal jurisdiction in Indian country is complex, and responsibility for Indian country law enforcement is shared among Federal, tribal, and State authorities; and

(B) that complexity requires a high degree of commitment and cooperation from Federal

and State officials that can be difficult to establish;

(19) agreements for cooperation among certified tribal and State law enforcement officers have proven to improve law enforcement in Indian country; and

(20) crime data is a fundamental tool of law enforcement, but for decades the Bureau of Indian Affairs and the Department of Justice have not been able to coordinate or consistently report crime and prosecution rates in Indian country.

(b) Purposes.—The purposes of this Act are—

(1) to clarify the responsibilities of Federal, State, tribal, and local governments with respect to crimes committed in Indian country;

(2) to increase coordination and communication among Federal, State, tribal, and local law enforcement agencies;

(3) to empower tribal governments with the authority, resources, and information necessary to safely and effectively provide public safety in Indian country;

(4) to reduce the prevalence of violent crime in Indian country and to combat violence against Indian and Alaska Native women;

(5) to address and prevent drug trafficking and reduce rates of alcohol and drug addiction in Indian country; and

(6) to increase and standardize the collection of criminal data and the sharing of criminal history information among Federal, State, and tribal officials responsible for responding to and investigating crimes in Indian country.

SEC. 3. DEFINITIONS.

(a) In General.—In this Act:

(1) INDIAN COUNTRY.—The term "Indian country" has the meaning given the term in section 1151 of title 18, United States Code.

(2) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) TRIBAL GOVERNMENT.—The term "tribal government" means the governing body of an Indian tribe.

(b) Indian Law Enforcement Reform Act.—Section 2 of the Indian Law Enforcement Reform Act (25 U.S.C. 2801) is amended by adding at the end the following:

"(10) TRIBAL JUSTICE OFFICIAL.—The term 'tribal justice official' means—

"(A) a tribal prosecutor;

"(B) a tribal law enforcement officer; or

"(C) any other person responsible for investigating or prosecuting an alleged criminal offense in tribal court.".

TITLE I—FEDERAL ACCOUNTABILITY AND COORDINATION

SEC. 101. OFFICE OF JUSTICE SERVICES RESPONSIBILITIES.

(a) Additional Responsibilities of Division.—Section 3(c) of the Indian Law Enforcement Reform Act (25 U.S.C. 2802(c)) is amended—

(1) in paragraph (8), by striking "and" at the end;

(2) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(10) communicating with tribal leaders, tribal justice officials, and reservation residents on a regular basis regarding public safety and justice concerns facing tribal communities;

"(11) conducting meaningful and timely consultation with tribal leaders and tribal justice officials in the development of regulatory policies and other actions that affect public safety and justice in Indian country;

"(12) providing technical assistance and training to tribal law enforcement officials to gain access and input authority to utilize the National Criminal Information Center and other national crime information databases pursuant to section 534 of title 28, United States Code;

"(13) in coordination with the Attorney General pursuant to subsection (g) of section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732), collecting, analyzing, and reporting data regarding Indian country crimes on an annual basis;

"(14) submitting to Congress, for each fiscal year, a detailed spending report regarding tribal public safety and justice programs that includes—

"(A) the number of employees and amounts spent by category, including a breakdown by position of direct Bureau and tribal government employees, for each of—

"(i) criminal investigators;

"(ii) uniform police;

"(iii) dispatchers;

"(iv) detention officers; and

"(v) executive personnel, including special agents in charge, and directors and deputies of various offices in the Office of Justice Services;

"(B) an itemized list of spending by the Secretary on vehicles, equipment, transportation costs, improvement, and repair of facilities, emergency events, personnel transfers, detailees and related costs of their details, and other public safety and justice-related expenses; and

"(C) a list of, and relevant details regarding, the unmet staffing needs of uniform

police and detentions officers at tribal and Bureau of Indian Affairs police departments and corrections facilities; and

"(15) promulgating regulations to carry out this Act, and routinely reviewing and updating, as necessary, the regulations contained in subchapter B of title 25, Code of Federal Regulations (or successor regulations).".

(b) Law Enforcement Authority.—Section 4 of the Indian Law Enforcement Reform Act (25 U.S.C. 2803) is amended—

(1) in paragraph (2)(A) by striking "), or" and inserting "or with respect to issuing central citations, the Bureau); or"; and

(2) in paragraph (3) by striking subparagraph (C) and inserting the following:

"(C) the offense is a misdemeanor crime and the employee has reasonable grounds to believe that the individual to be arrested has committed, or is committing, the crime;".

SEC. 102. DECLINATION REPORTS.

Section 10 of the Indian Law Enforcement Reform Act (25 U.S.C. 2809) is amended by striking subsections (a) through (d) and inserting the following:

"(a) Reports.—

"(1) LAW ENFORCEMENT OFFICIALS.—Subject to subsection (d), if a law enforcement officer or employee of any Federal department or agency declines to initiate an investigation of an alleged violation of Federal law in Indian country, or terminates such an investigation without referral for prosecution, the officer or employee shall—

"(A) submit to the appropriate tribal justice officials a report describing each reason why the investigation was declined or terminated; and

"(B) submit to the Office of Indian Country Crime information regarding the alleged violation, including—

"(i) the type of crime alleged;

"(ii) the status of the accused as a tribal citizen;

"(iii) the status of the victim as a tribal citizen; and

"(iv) the reason for the determination to decline or terminate the investigation.

"(2) UNITED STATES ATTORNEYS.—Subject to subsection (d), if a United States attorney declines to prosecute, or acts to terminate prosecution of, an alleged violation of Federal law in Indian country referred for prosecution by a law enforcement officer or employee of a Federal department or agency or other law enforcement officer authorized to enforce Federal law, the United States attorney shall—

"(A) coordinate and communicate, sufficiently in advance of the statute of limitations, reasonable details regarding the case to permit the tribal prosecutor to pursue the case in tribal court; and

"(B) submit to the Office of Indian Country Crime information regarding the alleged

violation, including—

"(i) the type of crime alleged;

"(ii) the status of the accused as a tribal citizen;

"(iii) the status of the victim as a tribal citizen; and

"(iv) the reason for the determination to decline or terminate the investigation.

"(b) Maintenance of Records.—

"(1) IN GENERAL.—The Director of the Office of Indian Country Crime shall establish and maintain a compilation of information received under paragraph (1) or (2) of subsection (a) to decline to investigate or prosecute, or to terminate an investigation or prosecution.

"(2) AVAILABILITY TO CONGRESS.—Each compilation under paragraph (1) shall be made available to Congress on an annual basis.

"(c) Inclusion of Case Files.—A report submitted to the appropriate tribal justice officials under paragraph (1) or (2) of subsection (a) may include the case file, including evidence collected and statements taken that could support an investigation or prosecution by the appropriate tribal justice officials.

"(d) Effect of Section.—

"(1) IN GENERAL.—Nothing in this section requires any Federal agency or official to transfer or disclose any confidential or privileged communication, information, or source to an official of any Indian tribe.

"(2) REGULATIONS.—Each Federal agency required to submit a report pursuant to this section shall adopt, by regulation, standards for the protection of confidential or privileged communications, information, and sources under paragraph (1).".

SEC. 103. PROSECUTION OF CRIMES IN INDIAN COUNTRY.

(a) Appointment of Special Prosecutors.—Section 543(a) of title 28, United States Code, is amended by inserting before the period at the end the following: ", including the appointment of qualified tribal prosecutors and other qualified attorneys to assist in prosecuting Federal offenses committed in Indian country".

(b) Tribal Liaisons.—The Indian Law Enforcement Reform Act (25 U.S.C. 2801 et seq.) is amended by adding at the end the following:

"SEC. 11. ASSISTANT UNITED STATES ATTORNEY TRIBAL LIAISONS.

"(a) Appointment.—Each United States attorney the jurisdictional district of which includes Indian country shall appoint not less than 1 assistant United States attorney to serve as a tribal liaison for the district.

"(b) Duties.—A tribal liaison shall be responsible for, with respect to the district of the applicable United States attorney office—

"(1) coordinating the prosecution of crimes that occur in Indian country;

"(2) developing multidisciplinary teams to combat child abuse and domestic and sexual violence offenses in Indian country;

"(3) developing working relationships and maintaining communication with tribal leaders and tribal justice officials to gather information from, and share information with, tribal justice officials;

"(4) coordinating with tribal prosecutors in cases in which a tribal government has concurrent jurisdiction over an alleged crime, in advance of the expiration of any applicable statute of limitation;

"(5) providing technical assistance and training regarding evidence gathering techniques to tribal justice officials and other individuals and entities that are instrumental to responding to Indian country crimes;

"(6) conducting training sessions and seminars to certify special law enforcement commissions to tribal justice officials and other individuals and entities responsible for responding to Indian country crimes;

"(7) coordinating with the Office of Indian Country Crime, as necessary; and

"(8) conducting such other activities to address and prevent violent crime in Indian country as the applicable United States attorney determines to be appropriate.

"(c) Sense of Congress Regarding Evaluations of Tribal Liaisons.—

"(1) FINDINGS.—Congress finds that—

"(A) many tribal communities rely solely on United States Attorneys offices to prosecute felony crimes occurring on Indian land; and

"(B) tribal liaisons have dual obligations of—

"(i) coordinating prosecutions of Indian country crime; and

"(ii) developing relationships with tribal communities and serving as a link between tribal communities and the Federal justice process.

"(2) SENSE OF CONGRESS.—It is the sense of Congress that the Attorney General should—

"(A) take all appropriate actions to encourage the aggressive prosecution of all crimes committed in Indian country; and

"(B) if appropriate, take into consideration the dual responsibilities of tribal liaisons described in paragraph (1)(B) in evaluating the performance of the tribal liaisons.

"(d) Enhanced Prosecution of Minor Crimes.—Each United States Attorney serving a district that includes Indian country may, and is encouraged to—

"(1) appoint Special Assistant United States Attorneys pursuant to section 543(a) of title 28, United States Code, to prosecute crimes in Indian country in which—

"(A) the crime rate exceeds a rate equal to twice the national average crime rate; or

"(B) the rate at which criminal offenses are declined to be prosecuted exceeds the

national average rate; and

"(2) coordinate with applicable United States magistrate and district courts—

"(A) to ensure the provision of docket time for prosecutions of Indian country crimes; and

"(B) to hold trials and other proceedings in Indian country, as appropriate.".

SEC. 104. ADMINISTRATION.

(a) Office of Tribal Justice.—

(1) DEFINITIONS.—Section 4 of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. 3653) is amended—

(A) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively; and

(B) by inserting after paragraph (1) the following:

"(2) DIRECTOR.—The term 'Director' means the Director of the Office of Tribal Justice.".

(2) STATUS.—Title I of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 is amended—

(A) by redesignating section 106 (25 U.S.C. 3666) as section 107; and

(B) by inserting after section 105 (25 U.S.C. 3665) the following:

"SEC. 106. OFFICE OF TRIBAL JUSTICE.

"(a) In General.—Not later than 90 days after the date of enactment of the Tribal Justice Improvement Act of 2008, the Attorney General shall modify the status of the Office of Tribal Justice as the Attorney General determines to be necessary to establish the Office of Tribal Justice as a division of the Department.

"(b) Personnel and Funding.—The Attorney General shall provide to the Office of Tribal Justice such personnel and funds as are necessary to establish the Office of Tribal Justice as a division of the Department under subsection (a).

"(c) Additional Duties.—In addition to the duties of the Office of Tribal Justice in effect on the day before the date of enactment of the Tribal Justice Improvement Act of 2008, the Office of Tribal Justice shall—

"(1) serve as the program and legal policy advisor to the Attorney General with respect to the treaty and trust relationship between the United States and Indian tribes;

"(2) serve as the point of contact for federally recognized tribal governments and tribal organizations with respect to questions and comments regarding policies and programs of the Department and issues relating to public safety and justice in Indian country; and

"(3) coordinate with other agencies and divisions within the Department of Justice to ensure that each agency has an accountable process to ensure meaningful and timely consultation with tribal leaders in the development of regulatory policies and other actions

with tribal implications.".

(b) Office of Indian Country Crime.—The Indian Law Enforcement Reform Act (25 U.S.C. 2801 et seq.) (as amended by section 102(b)) is amended by adding at the end the following:

"SEC. 12. OFFICE OF INDIAN COUNTRY CRIME.

"(a) Establishment.—There is established in the criminal division of the Department of Justice an office, to be known as the 'Office of Indian Country Crime'.

"(b) Duties.—The Office of Indian Country Crime shall—

"(1) develop, enforce, and administer the application of Federal criminal laws applicable in Indian country;

"(2) coordinate with the United States attorneys that have authority to prosecute crimes in Indian country;

"(3) coordinate prosecutions of crimes of national significance in Indian country, as determined by the Attorney General;

"(4) develop and implement criminal enforcement policies for United States attorneys and investigators of Federal crimes regarding cases arising in Indian country; and

"(5) submit to Congress annual reports describing the prosecution and declination rates of cases involving alleged crimes in Indian country referred to United States Attorneys.

"(c) Deputy Assistant Attorney General.—

"(1) APPOINTMENT.—The Attorney General shall appoint a Deputy Assistant Attorney General for Indian Country Crime.

"(2) DUTIES.—The Deputy Assistant Attorney General for Indian Country Crime shall—

"(A) serve as the head of the Office of Indian Country Crime;

"(B) serve as a point of contact to United State Attorneys serving districts including Indian country, tribal liaisons, tribal governments, and other Federal, State, and local law enforcement agencies regarding issues affecting the prosecution of crime in Indian country; and

"(C) carry out such other duties as the Attorney General may prescribe.".

TITLE II—STATE ACCOUNTABILITY AND COORDINATION

SEC. 201. STATE CRIMINAL JURISDICTION AND RESOURCES.

(a) Concurrent Authority of United States.—Section 401(a) of Public Law 90–284 (25 U.S.C. 1321(a)) is amended—

(1) by striking the section designation and heading and all that follows through "The consent of the United States" and inserting the following:

"SEC. 401. ASSUMPTION BY STATE OF CRIMINAL JURISDICTION.

"(a) Consent of United States.—

"(1) IN GENERAL.—The consent of the United States"; and

(2) by adding at the end the following:

"(2) CONCURRENT JURISDICTION.—At the request of an Indian tribe, and after consultation with the Attorney General, the United States shall maintain concurrent jurisdiction to prosecute violations of sections 1152 and 1153 of title 18, United States Code, within the Indian country of the Indian tribe.".

(b) Applicable Law.—Section 1162 of title 18, United States Code, is amended by striking subsection (c) and inserting the following:

"(c) Applicable Law.—At the request of an Indian tribe, and after consultation with the Attorney General, sections 1152 and 1153 of this title shall remain in effect in the areas of the Indian country of the Indian tribe.".

SEC. 202. INCENTIVES FOR STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT COOPERATION.

(a) Establishment of Cooperative Assistance Program.—The Attorney General may provide grants, technical assistance, and other assistance to State, tribal, and local governments that enter into cooperative agreements, including agreements relating to mutual aid, hot pursuit of suspects, and cross-deputization for the purposes of—

(1) improving law enforcement effectiveness; and

(2) reducing violence in Indian country and nearby communities.

(b) Program Plans.—

(1) IN GENERAL.—To be eligible to receive assistance under this section, a group composed of not less than 1 of each of a tribal government and a State or local government shall jointly develop and submit to the Attorney General a plan for a program to achieve the purpose described in subsection (a).

(2) PLAN REQUIREMENTS.—A joint program plan under paragraph (1) shall include a description of—

(A) the proposed cooperative tribal and State or local law enforcement program for which funding is sought, including information on the population and each geographic area to be served by the program;

(B) the need of the proposed program for funding under this section, the amount of funding requested, and the proposed use of funds, subject to the requirements listed in subsection (c);

(C) the unit of government that will administer any assistance received under this section, and the method by which the assistance will be distributed;

(D) the types of law enforcement services to be performed on each applicable Indian reservation and the individuals and entities that will perform those services;

(E) the individual or group of individuals who will exercise daily supervision and control over law enforcement officers participating in the program;

(F) the method by which local and tribal government input with respect to the planning and implementation of the program will be ensured;

(G) the policies of the program regarding mutual aid, hot pursuit of suspects, deputization, training, and insurance of applicable law enforcement officers;

(H) the recordkeeping procedures and types of data to be collected pursuant to the program; and

(I) other information that the Attorney General determines to be relevant.

(c) Permissible Uses of Funds.—An eligible entity that receives a grant under this section may use the grant, in accordance with the program plan described in subsection (b)—

(1) to hire and train new career tribal, State, or local law enforcement officers, or to make overtime payments for current law enforcement officers, that are or will be dedicated to—

(A) policing tribal land and nearby land; and

(B) investigating alleged crimes on that land;

(2) procure equipment, technology, or support systems to be used to investigate crimes and share information between tribal, State, and local law enforcement agencies; or

(3) for any other uses that the Attorney General determines will meet the purposes described in subsection (a).

(d) Factors for Consideration.—In determining whether to approve a joint program plan submitted under subsection (b) and, on approval, the amount of assistance to provide to the program, the Attorney General shall take into consideration the following factors:

(1) The size and population of each Indian reservation and nearby community proposed to be served by the program.

(2) The complexity of the law enforcement problems proposed to be addressed by the program.

(3) The range of services proposed to be provided by the program.

(4) The proposed improvements the program will make regarding law enforcement cooperation beyond existing levels of cooperation.

(5) The crime rates of the tribal and nearby communities.

(6) The available financial resources possessed by each entity applying for a grant under this section for dedication to public safety in the respective jurisdictions of the entities.

(e) Annual Reports.—To be eligible to renew or extend a grant under this section, a group described in subsection (b)(1) shall submit to the Attorney General, together with the joint program plan under subsection (b), a report describing the law enforcement activities carried out pursuant to the program during the preceding fiscal year, including the success of the activities,

including any increase in arrests or prosecutions.

(f) Reports by Attorney General.—Not later than January 15 of each applicable fiscal year, the Attorney General shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the law enforcement programs carried out using assistance provided under this section during the preceding fiscal year, including the success of the programs.

(g) Technical Assistance.—On receipt of a request from a group composed of not less than 1 tribal government and 1 State or local government, the Attorney General shall provide technical assistance to the group to develop and enter into [to be supplied].

(h) Authorization of Appropriations.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2009 through 2015.

TITLE III—EMPOWERING TRIBAL LAW ENFORCEMENT AGENCIES AND TRIBAL GOVERNMENTS

SEC. 301. TRIBAL POLICE OFFICERS.

(a) Flexibility in Training Law Enforcement Officers Serving Indian Country.—Section 3(e) of the Indian Law Enforcement Reform Act (25 U.S.C. 2802(e)) is amended—

(1) in paragraph (1)—

(A) by striking "(e)(1) The Secretary" and inserting the following:

"(e) Standards of Education and Experience and Classification of Positions.—

"(1) STANDARDS OF EDUCATION AND EXPERIENCE.—

"(A) IN GENERAL.—The Secretary"; and

(B) by adding at the end the following:

"(B) TRAINING.—The training standards established under subparagraph (A) shall permit law enforcement personnel of the Division of Law Enforcement Services or an Indian tribe to obtain training at a State or tribal police academy, a local or tribal community college, or another training academy that meets the National Peace Officer Standards of Training."; and

(2) in paragraph (3), by striking "Agencies" and inserting "agencies".

(b) Special Law Enforcement Commissions.—Section 5 of the Indian Law Enforcement Reform Act (25 U.S.C. 2804) is amended to read as follows:

"SEC. 5. SPECIAL LAW ENFORCEMENT COMMISSIONS.

"(a) Agreements.—

"(1) STATEMENT OF ENCOURAGEMENT.—The Secretary may, and is encouraged to, enter into agreements for the use (with or without reimbursement) of personnel and facilities of Federal, tribal, State, or other government agencies to assist in the enforcement or administration in Indian country of Federal law or the laws of an Indian tribe that authorizes the Secretary to enforce tribal law.

"(2) CERTAIN ACTIVITIES.—Pursuant to an agreement described in paragraph (1), the Secretary shall authorize the law enforcement officers of any applicable government agency to carry out any activity authorized under section 4.

"(3) REQUIREMENT.—An agreement under paragraph (1) shall be in accordance with any applicable agreement between the Secretary and the Attorney General.

"(b) Program Enhancement.—

"(1) TRAINING SESSIONS IN INDIAN COUNTRY.—The Secretary (or a designee) and the Attorney General (or a designee) shall develop a plan to enhance the provision of special law enforcement commissions to tribal law enforcement agencies pursuant to this section, including by hosting regular regional training sessions in Indian country to educate and certify tribal law enforcement officials and, subject to subsection (d), State and local law enforcement officials.

"(2) MEMORANDA OF AGREEMENT.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Tribal Justice Improvement Act of 2008, the Secretary, in consultation with Indian tribes and tribal law enforcement agencies, shall develop minimum requirements to be included in special law enforcement commission agreements with tribal governments pursuant to this section.

"(B) AGREEMENT.—Not later than 60 days after the date on which the Secretary determines that all applicable requirements under subparagraph (A) are met, the Secretary shall offer to enter into a special law enforcement commission agreement with the applicable Indian tribe.

"(c) Enhancement.—The Secretary (or a designee) and the Attorney General (or a designee) shall develop a plan to enhance the agreements entered into pursuant to this section, including by hosting, not less frequently than biannually, regional training sessions to educate and certify tribal justice officials and (subject to the agreement of the affected Indian tribes) State and local law enforcement officers to enforce tribal and Federal criminal laws in Indian country.

"(d) Limitation on Use of Certain Personnel.—

"(1) CONSULTATION.—The Secretary shall consult with each affected Indian tribe before entering into any agreement under subsection (a) with a non-Federal agency that will provide personnel for use in any area under the jurisdiction of the Indian tribes.

"(2) PROHIBITION.—The Secretary shall not use the personnel of a non-Federal agency under this section in an area of Indian country if the Indian tribe with jurisdiction over that area has adopted a resolution objecting to the use of personnel of the non-Federal agency.

"(e) Coordination by Federal Agencies.—Notwithstanding section 1535 of title 31, United States Code, the head of a Federal agency with law enforcement personnel or facilities shall coordinate and, as needed, enter into agreements (with or without reimbursement) with the Secretary under subsection (a).

"(f) Encouragement of Other Federal Agency Heads.—Congress encourages the head of each Federal agency with law enforcement personnel or facilities, including the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Bureau of

Immigration and Customs Enforcement, to enter into agreements (with or without reimbursement) with an Indian tribe relating to—

"(1) the law enforcement authority of the Indian tribe;

"(2) the administration of Federal or tribal criminal law; and

"(3) the conduct of investigations, the sharing of information and training techniques, and the provisions of other related technical assistance to prevent and prosecute violations of Federal or tribal criminal law in Indian country.".

SEC. 302. DRUG ENFORCEMENT IN INDIAN COUNTRY.

(a) Education and Research Programs.—Section 502 of the Controlled Substances Act (21 U.S.C. 872) is amended in subsections (a)(1) and (c), by inserting " tribal," after "State," each place it appears.

(b) Public-Private Education Program.—Section 503 of the Comprehensive Methamphetamine Control Act of 1996 (21 U.S.C. 872a) is amended—

(1) in subsection (a), by inserting "tribal," after "State,"; and

(2) in subsection (b)(2), by inserting ", tribal," after "State".

(c) Cooperative Arrangements.—Section 503 of the Controlled Substances Act (21 U.S.C. 873) is amended—

(1) in subsection (a)—

(A) by inserting "tribal," after "State," each place it appears; and

(B) in paragraphs (6) and (7), by inserting ", tribal," after "State" each place it appears; and

(2) in subsection (d)(1), by inserting ", tribal," after "State".

(d) Powers of Enforcement Personnel.—Section 508(a) of the Controlled Substances Act (21 U.S.C. 878(a)) is amended in the matter preceding paragraph (1) by inserting ", tribal," after "State".

SEC. 303. ACCESS TO NATIONAL CRIMINAL INFORMATION DATABASES.

(a) Access to National Criminal Information Databases.—Section 534 of title 28, United States Code, is amended—

(1) in subsection (a)(4), by inserting "Indian tribes," after "the States,";

(2) by striking subsection (d) and inserting the following:

"(d) Indian Law Enforcement Agencies.—The Attorney General shall permit Indian law enforcement agencies—

"(1) to access and enter information into Federal criminal information databases; and

"(2) to obtain information from the databases."; and

(3) in subsection (f)(2), in the matter preceding subparagraph (A), by inserting ", tribal," after "Federal".

(b) Requirement.—

(1) IN GENERAL.—The Attorney General shall ensure that tribal law enforcement officials that meet applicable Federal or State requirements are authorized to access national crime information databases.

(2) SANCTIONS.—For purpose of sanctions for noncompliance with requirements of, or misuse of, national crime information databases and information obtained from those databases, a tribal law enforcement agency or official shall be treated as Federal law enforcement agency or official.

SEC. 304. TRIBAL COURT SENTENCING AUTHORITY.

Section 202 of Public Law 90–284 (25 U.S.C. 1302) is amended—

(1) in the matter preceding paragraph (1), by striking "No Indian tribe" and inserting the following:

"(a) In General.—No Indian tribe";

(2) in paragraph (7) of subsection (a) (as designated by paragraph (1)), by striking "and a fine" and inserting "or a fine"; and

(3) by adding at the end the following:

"(b) Tribal Courts and Prisoners.—

"(1) IN GENERAL.—Notwithstanding paragraph (7) of subsection (a) and in addition to the limitations described in the other paragraphs of that subsection, no Indian tribe, in exercising any power of self-government involving a criminal trial pursuant to this section, may—

"(A) deny any person in a criminal proceeding the assistance of defense counsel;

"(B) require excessive bail, impose an excessive fine, inflict a cruel or unusual punishment, or impose for conviction of a single offense any penalty or punishment greater than imprisonment for a term of 3 years or a fine of $15,000, or both; or

"(C) deny any person in a criminal proceeding the due process of law.

"(2) SENTENCES.—A tribal court acting pursuant to paragraph (1) may require a convicted offender—

"(A) to serve the sentence of the offender—

"(i) in a tribal correctional center that has been approved by the Bureau of Indian Affairs for long-term incarceration, in accordance with guidelines developed by the Bureau of Indian Affairs, in consultation with Indian tribes;

"(ii) in the nearest appropriate Federal facility, at the expense of the United States pursuant to a memorandum of agreement with Bureau of Prisons in accordance with paragraph (3); or

"(iii) in an alternative rehabilitation center of an Indian tribe; or

"(B) to serve another alternative form of punishment, as determined by the tribal court judge.

"(3) MEMORANDA OF AGREEMENT.—A memorandum of agreement between an Indian tribe and the Bureau of Prisons under paragraph (2)(A)(ii)—

"(A) shall acknowledge that the United States will incur all costs involved, including the costs of transfer, housing, medical care, rehabilitation, and reentry of transferred prisoners;

"(B) shall limit the transfer of prisoners to prisoners convicted in tribal court of violent crimes, crimes involving sexual abuse, and serious drug offenses, as determined by the Bureau of Prisons, in consultation with tribal governments, by regulation;

"(C) shall not affect the jurisdiction, power of self-government, or any other authority of an Indian tribe over the territory or members of the Indian tribe;

"(D) shall contain such other requirements as the Bureau of Prisons, in consultation with the Bureau of Indian Affairs and tribal governments, may determine, by regulation; and

"(E) shall be executed and carried out not later than 180 days after the date on which the applicable Indian tribe contacts the Bureau of Prisons to accept a transfer of a tribal court offender pursuant to this subsection.

"(c) Effect of Section.—Nothing in this section affects the obligation of the United States, or any State government that has been delegated authority by the United States, to investigate and prosecute any criminal violation in Indian country.".

SEC. 305. INDIAN LAW AND ORDER COMMISSION.

(a) Establishment.—There is established a commission to be known as the Indian Law and Order Commission (referred to in this section as the "Commission").

(b) Membership.—

(1) IN GENERAL.—The Commission shall be composed of 9 members, of whom—

(A) 3 shall be appointed by the President, in consultation with—

(i) the Attorney General; and

(ii) the Secretary of the Interior;

(B) 2 shall be appointed by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate;

(C) 1 shall be appointed by the Minority Leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate;

(D) 2 shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Natural Resources of the House of Representatives; and

(E) 1 shall be appointed by the Minority Leader of the House of Representatives, in

consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(2) REQUIREMENTS FOR ELIGIBILITY.—Each member of the Commission shall have significant experience and expertise in—

(A) the Indian country criminal justice system; and

(B) matters to be studied by the Commission.

(3) CONSULTATION REQUIRED.—The President, the Speaker and Minority Leader of the House of Representatives, and the Majority Leader and Minority Leader of the Senate shall consult before the appointment of members of the Commission under paragraph (1) to achieve, to the maximum extent practicable, fair and equitable representation of various points of view with respect to the matters to be studied by the Commission.

(4) TERM.—Each member shall be appointed for the life of the Commission.

(5) TIME FOR INITIAL APPOINTMENTS.—The appointment of the members of the Commission shall be made not later than 60 days after the date of enactment of this Act.

(6) VACANCIES.—A vacancy in the Commission shall be filled—

(A) in the same manner in which the original appointment was made; and

(B) not later than 60 days after the date on which the vacancy occurred.

(c) Operation.—

(1) CHAIRPERSON.—Not later than 15 days after the date on which all members of the Commission have been appointed, the Commission shall select 1 member to serve as Chairperson of the Commission.

(2) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(B) INITIAL MEETING.—The initial meeting shall take place not later than 30 days after the date described in paragraph (1).

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) RULES.—The Commission may establish, by majority vote, any rules for the conduct of Commission business, in accordance with this Act and other applicable law.

(d) Comprehensive Study of the Criminal Justice System Relating to Indian Country.—The Commission shall conduct a comprehensive study of—

(1) jurisdiction over crimes committed in Indian country and the impact of that jurisdiction on—

(A) the investigation and prosecution of Indian country crimes; and

(B) residents of Indian country;

(2) the tribal jail and Federal prisons systems and the effect of those systems with respect to—

(A) reducing Indian country crime; and

(B) rehabilitation of offenders; and

(3) the impact of the Indian Civil Rights Act of 1968 (25 U.S.C. 1301 et seq.) on—

(A) the authority of Indian tribes; and

(B) the rights of defendants subject to tribal government authority.

(e) Recommendations.—Taking into consideration the results of the study under paragraph (1), the Commission shall develop recommendations on necessary modifications and improvements to justice systems at the tribal, Federal, and State levels, including consideration of—

(1) simplifying jurisdiction in Indian country;

(2) enhancing the penal authority of tribal courts and exploring alternatives to incarceration;

(3) the establishment of satellite United States magistrate or district courts in Indian country;

(4) changes to the Indian jails and Federal prison systems; and

(5) other issues that, as determined by the Commission, would reduce violent crime in Indian country.

(f) Report.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to the President and Congress a report that contains—

(1) a detailed statement of the findings and conclusions of the Commission; and

(2) the recommendations of the Commission for such legislative and administrative actions as the Commission considers to be appropriate.

(g) Powers.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section.

(B) PUBLIC REQUIREMENT.—The hearings of the Commission under this paragraph shall be open to the public.

(2) WITNESS EXPENSES.—

(A) IN GENERAL.—A witness requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(B) PER DIEM AND MILEAGE.—The per diem and mileage allowance for a witness shall be paid from funds made available to the Commission.

(3) INFORMATION FROM FEDERAL, TRIBAL, AND STATE AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such

information as the Commission considers to be necessary to carry out this section.

(B) TRIBAL AND STATE AGENCIES.—The Commission may request the head of any tribal or State agency to provide to the Commission such information as the Commission considers to be necessary to carry out this section.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(h) Commission Personnel Matters.—

(1) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES.—On the affirmative vote of \2/3\ of the members of the Commission and the approval of the appropriate Federal agency head, an employee of the Federal Government may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—On request of the Commission, the Attorney General and Secretary shall provide to the Commission reasonable and appropriate office space, supplies, and administrative assistance.

(i) Contracts for Research.—

(1) RESEARCHERS AND EXPERTS.—

(A) IN GENERAL.—On an affirmative vote of \2/3\ of the members of the Commission, the Commission may select nongovernmental researchers and experts to assist the Commission in carrying out the duties of the Commission under this section.

(B) NATIONAL INSTITUTE OF JUSTICE.—The National Institute of Justice may enter into a contract with the researchers and experts selected by the Commission under subparagraph (A) to provide funding in exchange for the services of the researchers and experts.

(2) OTHER ORGANIZATIONS.—Nothing in this subsection limits the ability of the Commission to enter into contracts with any other entity or organization to carry out research necessary to carry out the duties of the Commission under this section.

(j) Authorization of Appropriations.—There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

(k) Termination of Commission.—The Commission shall terminate 90 days after the date on which the Commission submits the report of the Commission under subsection (c)(3).

(l) Nonapplicability of FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

TITLE IV—TRIBAL JUSTICE SYSTEMS

SEC. 401. INDIAN ALCOHOL AND SUBSTANCE ABUSE.

(a) Correction of References.—

(1) INTER-DEPARTMENTAL MEMORANDUM OF AGREEMENT.—Section 4205 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2411) is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking ["the date of enactment of this subtitle"] and inserting "the date of enactment of the Tribal Justice Improvement Act of 2008"; and

(II) by inserting ", the Attorney General," after "Secretary of the Interior";

(ii) in paragraph (2)(A), by inserting ", Bureau of Justice Assistance, Substance Abuse and Mental Health Services Administration," after "Bureau of Indian Affairs,";

(iii) in paragraph (4), by inserting ", Department of Justice, Substance Abuse and Mental Health Services Administration," after "Bureau of Indian Affairs";

(iv) in paragraph (5), by inserting ", Department of Justice, Substance Abuse and Mental Health Services Administration," after "Bureau of Indian Affairs";

(v) in paragraph (7), by inserting ", the Attorney General," after "Secretary of the Interior";

(B) in subsection (c), by inserting ", the Attorney General," after "Secretary of the Interior"; and

(C) in subsection (d), by striking ["the date of enactment of this subtitle"] and inserting "the date of enactment of the Tribal Justice Improvement Act of 2008".

(2) TRIBAL ACTION PLANS.—Section 4206 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2412) is amended—

(A) in subsection (b), in the first sentence, by inserting ", the Bureau of Justice Assistance, the Substance Abuse and Mental Health Services Administration," before "and the Indian Health Service service unit";

(B) in subsection (c)(1)(A)(i), by inserting ", the Bureau of Justice Assistance, the Substance Abuse and Mental Health Services Administration," before "and the Indian Health Service service unit";

(C) in subsection (d)(2), by striking "fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000" and inserting "[the period of] fiscal years 2009 through 2013";

(D) in subsection (e), in the first sentence, by inserting ", the Attorney General," after "the Secretary of the Interior"; and

(E) in subsection (f)(3), by striking "fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000" and inserting "[the period of] fiscal years 2009 through 2013".

(3) DEPARTMENTAL RESPONSIBILITY.—Section 4207(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2413(a)) is amended by inserting ", the Attorney General" after "Bureau of Indian Affairs".

(4) REVIEW OF PROGRAMS.—Section 4208a(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2414a(a)) is amended in the matter preceding paragraph (1) by inserting ", the Attorney General," after "the Secretary of the Interior".

(5) FEDERAL FACILITIES, PROPERTY, AND EQUIPMENT.—Section 4209 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2415) is amended—

(A) in subsection (a), by inserting ", the Attorney General," after "the Secretary of the Interior";

(B) in subsection (b)—

(i) in the first sentence, by inserting ", the Attorney General," after "the Secretary of the Interior";

(ii) in the second sentence, by inserting ", nor the Attorney General," after "the Secretary of the Interior"; and

(iii) in the third sentence, by inserting ", the Department of Justice," after "the Department of the Interior"; and

(C) in subsection (c)(1), by inserting ", the Attorney General," after "the Secretary of the Interior".

(6) NEWSLETTER.—Section 4210 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2416) is amended—

(A) in subsection (a), in the first sentence, by inserting ", the Attorney General," after "the Secretary of the Interior"; and

(B) in subsection (b), by striking "fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000" and inserting "[the period of] fiscal years 2009 through 2013".

(7) REVIEW.—Section 4211(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2431(a)) is amended in the matter preceding paragraph (1) by inserting ", the Attorney General," after "the Secretary of the Interior".

(b) Indian Education Programs.—Section 4212 of the Indian Alcohol and Substance Abuse Prevention Act of 1986 (25 U.S.C. 2432) is amended by striking subsection (a) and inserting the following:

"(a) Pilot Programs.—

"(1) IN GENERAL.—The Assistant Secretary for Indian Affairs shall develop and implement pilot programs in selected schools funded by the Bureau of Indian Affairs

(subject to the approval of the local school board or contract school board) to determine the effectiveness of summer youth programs in advancing the purposes and goals of this Act.

"(2) COSTS.—The Assistant Secretary shall defray all costs associated with the actual operation and support of the pilot program in a school from funds appropriated to carry out this subsection.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the pilot programs under this subsection such sums as are necessary for each of fiscal years 2009 through 2013.".

(c) Emergency Shelters.—Section 4213(e) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2433(e)) is amended—

(1) in paragraph (1), by striking "as may be necessary" and all that follows through the end of the paragraph and inserting "as are necessary for each of fiscal years 2009 through 2013.";

(2) in paragraph (2), by striking "$7,000,000" and all that follows through the end of the paragraph and inserting "$10,000,000 for each of fiscal years 2009 through 2013."; and

(3) by indenting paragraphs (4) and (5) appropriately.

(d) Review of Programs.—Section 4215(a) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2441(a)) is amended by inserting ", the Attorney General," after "the Secretary of the Interior".

(e) Illegal Narcotics Traffic on the Tohono O'odham and St. Regis Reservations; Source Eradication.—Section 4216 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2442) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "United States Custom Service" and inserting "United States Customs and Border Protection"; and

(B) by striking paragraph (3) and inserting the following:

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2009 through 2013."; and

(2) in paragraph (2) of subsection (b), by striking "as may be necessary" and all that follows through the end of the paragraph and inserting "as are necessary for each of fiscal years 2009 through 2013.".

(f) Law Enforcement and Judicial Training.—Section 4218 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2451) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) Training Programs.—

"(1) IN GENERAL.—The Secretary of the Interior, in coordination with the Attorney General, the Administrator of the Drug Enforcement Administration, and the Director of the Federal Bureau of Investigation, shall ensure, through the establishment of a new training

program or by supplementing existing training programs, that all Bureau of Indian Affairs and tribal law enforcement and judicial personnel have access to training regarding—

"(A) the investigation and prosecution of offenses relating to illegal narcotics; and

"(B) alcohol and substance abuse prevention and treatment.

"(2) YOUTH-RELATED TRAINING.—Any training provided to Bureau of Indian Affairs or tribal law enforcement or judicial personnel under paragraph (1) shall include training in issues relating to youth alcohol and substance abuse prevention and treatment."; and

(2) in subsection (b), by striking "as may be necessary" and all that follows through the end of the subsection and inserting "as are necessary for each of fiscal years 2009 through 2013.".

(g) Juvenile Detention Centers.—Section 4220(b) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2453(b)) is amended—

(1) by striking "such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000" each place it appears and inserting "such sums as are necessary for each of fiscal years 2009 through 2013"; and

(2) by indenting paragraph (2) appropriately.

SEC. 402. INDIAN TRIBAL JUSTICE; TECHNICAL AND LEGAL ASSISTANCE.

(a) Indian Tribal Justice.—Section 201 of the Indian Tribal Justice Act (25 U.S.C. 3621) is amended—

(1) in subsection (a)—

(A) by striking "the provisions of sections 101 and 102 of this Act" and inserting "sections 101 and 102"; and

(B) by striking "the fiscal years 2000 through 2007" and inserting "fiscal years 2009 through 2013";

(2) in subsection (b)—

(A) by striking "the provisions of section 103 of this Act" and inserting "section 103"; and

(B) by striking "the fiscal years 2000 through 2007" and inserting "fiscal years 2009 through 2013";

(3) in subsection (c), by striking "the fiscal years 2000 through 2007" and inserting "fiscal years 2009 through 2013"; and

(4) in subsection (d), by striking "the fiscal years 2000 through 2007" and inserting "fiscal years 2009 through 2013".

(b) Technical and Legal Assistance.—The Indian Tribal Justice Technical and Legal Assistance Act of 2000 is amended—

(1) in section 106 (25 U.S.C. 3666), by striking "2000 through 2004" and inserting "2009

through 2013"; and

(2) in section 201(d) (25 U.S.C. 3681(d)), by striking "2000 through 2004" and inserting "2009 through 2013".

SEC. 403. COPS TRIBAL RESOURCES GRANT PROGRAM.

Section 1701 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended—

(1) in subsection (b)—

(A) in each of paragraphs (1) through (4) and (6) through (17), by inserting "to" after the paragraph designation;

(B) in paragraph (1), by striking "State and" and inserting "State, tribal, or";

(C) in paragraphs (9) and (10), by inserting ", tribal," after "State" each place it appears;

(D) in paragraph (15)—

(i) by striking "a State in" and inserting "a State or Indian tribe in";

(ii) by striking "the State which" and inserting "the State or tribal community that"; and

(iii) by striking "a State or" and inserting "a State, tribal, or"; and

(E) by redesignating paragraphs (6) through (17) as paragraphs (5) through (16), respectively;

(2) in subsection (g)—

(A) by striking "The portion" and inserting the following:

"(1) IN GENERAL.—The portion";

(B) in the second sentence, by striking "In relation" and inserting the following:

"(2) CERTAIN GRANTS.—In relation"; and

(C) by adding at the end the following:

"(3) WAIVER.—In acknowledgment of the Federal nexus and distinct Federal responsibility to address and prevent crime in Indian country, for purposes of providing grants to Indian tribes under this subsection, the Attorney General may waive the matching funds requirement of this subsection on the basis of demonstrated financial hardship.

"(4) USE OF CERTAIN FUNDS.—In addition to providing a waiver under paragraph (3), the Attorney General may allow the use of funds appropriated for any agency of an Indian tribal government or the Bureau of Indian Affairs to carry out law enforcement activities on Indian land to provide the non-Federal share of the cost of a program or project under this section.".

(3) in subsection (i), by striking "The authority" and inserting "Except as provided in subsection (j), the authority"; and

(4) by adding at the end the following:

"(j) Extension of Program for Indian Tribes.—

"(1) IN GENERAL.—Notwithstanding subsection (i) and section 1703, and in acknowledgment of the Federal nexus and distinct Federal responsibility to address and prevent crime in Indian country, the Attorney General may provide grants under this section to Indian tribal governments, for fiscal year 2009 and any fiscal year thereafter, for such period as the Attorney General determines to be appropriate to assist the Indian tribal governments in carrying out the purposes described in subsection (b).

"(2) PRIORITY OF FUNDING.—In providing grants to Indian tribal governments under this subsection, the Attorney General shall take into consideration reservation crime rates and tribal law enforcement staffing needs of each Indian tribal government.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2009 through 2013.".

SEC. 404. TRIBAL JAILS PROGRAM.

(a) In General.—Section 20109 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709) is amended by striking subsection (a) and inserting the following:

"(a) Reservation of Funds.—Notwithstanding any other provision of this part, of amounts made available to the Attorney General to carry out programs relating to offender incarceration, the Attorney General shall reserve $35,000,000 for each of fiscal years 2009 through 2013 to carry out this section.".

(b) Regional Detention Centers.—

(1) IN GENERAL.—Section 20109 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709) is amended by striking subsection (b) and inserting the following:

"(b) Grants to Indian Tribes.—

"(1) IN GENERAL.—From the amounts reserved under subsection (a), the Attorney General shall provide grants—

"(A) to Indian tribes for purposes of—

"(i) construction and maintenance of jails on Indian land for the incarceration of offenders subject to tribal jurisdiction;

"(ii) entering into contracts with private entities to increase the efficiency of construction of tribal jails; and

"(iii) developing and implementing alternatives to incarceration in tribal jails; and

"(B) to consortia of Indian tribes for purposes of constructing and operating regional detention centers on Indian land for long-term incarceration of offenders subject to tribal jurisdiction, as the applicable consortium determines to be appropriate.

"(2) PRIORITY OF FUNDING.—in providing grants under this subsection, the Attorney

General shall take into consideration applicable—

"(A) reservation crime rates;

"(B) annual tribal court convictions; and

"(C) bed space needs.".

(2) CONFORMING AMENDMENT.—Section 20109(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(c)) is amended by inserting "or consortium of Indian tribes, as applicable," after "Indian tribe".

[(c) Office of Justice Services Division of Corrections.—Under consideration are proposals that would require the Interior Department's Office of Justice Services – Division of Corrections to address concerns raised by the Inspector General's 2004 Indian Jails Report, and require the Office to develop a long term plan in coordination with the Department of Justice and in consultation with Indian Tribes.]

SEC. 405. TRIBAL PROBATION OFFICE LIAISON PROGRAM.

Title II of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. 3681 et seq.) is amended by adding at the end the following:

"SEC. 203. ASSISTANT PAROLE AND PROBATION OFFICERS.

"To the maximum extent practicable, the Director of the Administrative Office of the United States Courts shall appoint individuals residing in Indian country to serve as assistant parole or probation officers for purposes of monitoring and providing service to Federal prisoners residing in Indian country.".

SEC. 406. TRIBAL YOUTH PROGRAM.

(a) Incentive Grants for Local Delinquency Prevention Programs.—

(1) IN GENERAL.—Section 504 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5783) is amended—

(A) in subsection (a), by inserting ", or to Indian tribes under subsection (d)" after "subsection (b)"; and

(B) by adding at the end the following:

"(d) Grants for Tribal Delinquency Prevention Programs.—

"(1) IN GENERAL.—The Administrator shall make grants under this section, on a competitive basis, to eligible Indian tribes or consortia of Indian tribes, as described in paragraph (2)—

"(A) to support and enhance tribal juvenile justice systems; and

"(B) to encourage accountability of Indian tribal governments with respect to juvenile delinquency responses and prevention.

"(2) ELIGIBLE INDIAN TRIBES.—To be eligible to receive a grant under this subsection, an Indian tribe or consortium of Indian tribes shall submit to the Administrator an application in such form and containing such information as the Administrator may require.

"(3) PRIORITY OF FUNDING.—In providing grants under this subsection, the Administrator shall take into consideration, with respect to the reservation communities to be served—

"(A) juvenile crime rates;

"(B) dropout rates; and

"(C) percentages of at-risk youth.".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 505 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5784) is amended by striking "fiscal years 2004, 2005, 2006, 2007, and 2008" and inserting "each of fiscal years 2009 through 2013".

(b) Coordinating Council on Juvenile Justice and Delinquency Prevention.—Section 206(a)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(2)) is amended—

(1) in subparagraph (A), by striking "Nine" and inserting "Ten"; and

(2) in subparagraph (B), by adding at the end the following:

"(iv) One member shall be appointed by the Chairperson of the Committee on Indian Affairs of the Senate.".

TITLE V—INDIAN COUNTRY CRIME DATA

SEC. 501. TRACKING OF CRIMES COMMITTED IN INDIAN COUNTRY.

(a) Gang Violence.—Section 1107 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note; Public Law 109–162) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (8) through (12) as paragraphs (9) through (13), respectively;

(B) by inserting after paragraph (7) the following:

"(8) the Office of Justice Services of the Bureau of Indian Affairs;";

(C) in paragraph (9) (as redesignated by subparagraph (A)), by striking "State" and inserting "tribal, State,"; and

(D) in paragraphs (10) through (12) (as redesignated by subparagraph (A)), by inserting "tribal," before "State," each place it appears; and

(2) in subsection (b), by inserting "tribal," before "State," each place it appears.

(b) Bureau of Justice Statistics.—Section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting ", Indian tribes," after "contracts with";

(B) in each of paragraphs (3) through (6), by inserting "tribal," after "State," each place it appears;

(C) in paragraph (7), by inserting "and in Indian country" after "States";

(D) in paragraph (9), by striking "Federal and State Governments" and inserting "Federal Government and State and tribal governments";

(E) in each of paragraphs (10) and (11), by inserting ", tribal," after "State" each place it appears;

(F) in paragraph (13), by inserting ", Indian tribes," after "States";

(G) in paragraph (17)—

(i) by striking "State and local" and inserting "State, tribal, and local"; and

(ii) by striking "State, and local" and inserting "State, tribal, and local";

(H) in paragraph (18), by striking "State and local" and inserting "State, tribal, and local";

(I) in paragraph (19), by inserting "and tribal" after "State" each place it appears;

(J) in paragraph (20), by inserting ", tribal," after "State"; and

(K) in paragraph (22), by inserting ", tribal," after "Federal";

(2) in subsection (d)—

(A) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively, and indenting the subparagraphs appropriately;

(B) by striking "To insure" and inserting the following:

"(1) IN GENERAL.—To ensure"; and

(C) by adding at the end the following:

"(2) CONSULTATION WITH INDIAN TRIBES.—The Director, acting jointly with the Assistant Secretary for Indian Affairs (acting through the Director of the Office of Law Enforcement Services) and the Director of the Federal Bureau of Investigation, shall work with Indian tribes and tribal law enforcement agencies to establish and implement such tribal data collection systems as the Director determines to be necessary to achieve the purposes of this section.";

(3) in subsection (e), by striking "subsection (d)(3)" and inserting "subsection (d)(1)(C)";

(4) in subsection (f)—

(A) in the subsection heading, by inserting ", Tribal," after "State"; and

(B) by inserting ", tribal," after "State"; and

(5) by adding at the end the following:

"(g) Report to Congress on Crimes in Indian Country.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Director shall submit to Congress a

report describing the data collected and analyzed under this section relating to crimes in Indian country.".

SEC. 502. GRANTS TO IMPROVE TRIBAL DATA COLLECTION SYSTEMS.

Section 3 of the Indian Law Enforcement Reform Act (25 U.S.C. 2802) is amended by adding at the end the following:

"(f) Grants to Improve Tribal Data Collection Systems.—

"(1) GRANT PROGRAM.—The Secretary, acting through the Director of the Office of Justice Services of the Bureau and in coordination with the Attorney General, shall establish a program under which the Secretary shall provide grants to Indian tribes for activities to ensure uniformity in the collection and analysis of data relating to crime in Indian country.

"(2) REGULATIONS.—The Secretary, acting through the Director of the Office of Justice Services of the Bureau, in consultation with tribal governments and tribal justice officials, shall promulgate such regulations as are necessary to carry out the grant program under this subsection.".

SEC. 503. CRIMINAL HISTORY RECORD IMPROVEMENT PROGRAM.

Section 1301(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h(a)) is amended by inserting ", tribal," after "State".

TITLE VI—DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROSECUTION AND PREVENTION

[SEC. 601. VIOLATION OF TRIBAL ORDERS.

A provision is under consideration to establish a Federal felony for violations of tribal protection orders.]

SEC. 602. PRISONER RELEASE AND REENTRY.

Section 4042 of title 18, United States Code, is amended—

(1) in subsection (a)(4), by inserting ", tribal," after "State";

(2) in subsection (b)(1), in the first sentence, by striking "officer of the State and of the local jurisdiction" and inserting "officers of each State, tribal, and local jurisdiction"; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking "officer of the State and of the local jurisdiction" and inserting "officers of each State, tribal, and local jurisdiction"; and

(ii) in subparagraph (B), by inserting ", tribal," after "State" each place it

appears; and

(B) in paragraph (2)—

(i) by striking "(2) Notice" and inserting the following:

"(2) REQUIREMENTS.—

"(A) IN GENERAL.—A notice";

(ii) in the second sentence, by striking "For a person who is released" and inserting the following:

"(B) RELEASED PERSONS.—For a person who is released";

(iii) in the third sentence, by striking "For a person who is sentenced" and inserting the following:

"(C) PERSONS ON PROBATION.—For a person who is sentenced";

(iv) in the fourth sentence, by striking "Notice concerning" and inserting the following:

"(D) RELEASED PERSONS REQUIRED TO REGISTER.—

"(i) IN GENERAL.—A notice concerning"; and

(v) in subparagraph (D) (as designated by clause (iv)), by adding at the end the following:

"(ii) PERSONS RESIDING IN INDIAN COUNTRY.—For a person described in paragraph (3) the expected place of residence of whom is potentially located in Indian country, the Director of the Bureau of Prisons or the Director of the Administrative Office of the United States Courts, as appropriate, shall—

"(I) make all reasonable and necessary efforts to determine whether the residence of the person is located in Indian country; and

"(II) ensure that the person is registered with the law enforcement office of each appropriate jurisdiction before permitting the person enter Indian country.".

SEC. 603. DOMESTIC AND SEXUAL VIOLENT OFFENSE TRAINING.

Section 3(c)(9) of the Indian Law Enforcement Reform Act (25 U.S.C. 2802(c)(9)) (as amended by section 104(2)) is amended by inserting before the semicolon at the end the following: ", including training to properly interview victims of domestic and sexual violence and to collect, preserve, and present evidence to Federal and tribal prosecutors to increase the conviction rate for domestic and sexual violence offenses for purposes of addressing and preventing domestic and sexual violent offenses".

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

TAKE PRIDE IN AMERICA

JUN 17 2008

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

Dear Mr. Chairman:

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

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

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

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

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

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

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

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

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

Sincerely,

Jane Lyder

Jane M. Lyder
Legislative Counsel

IDENTICAL LETTER to Honorable Lisa Murkowski

Master Plan for Justice Services in Indian Country

Year 2007 to Year 2017

Draft Final Report

Bureau of Indian Affairs
United States Department of the Interior

under contract with
United States General Services Administration

Prepared by

Shubnum
Henderson, Nevada

Contents

Contents 1

Executive Summary..... 5

Final report - Master Plan Details 11

Chronological Progress 11

List of Facilities Assessed 11

Individual Assessment Reports 11

Findings at Existing Facilities in 34 Key Categories 11

Critical Concerns – Pictorials 11

Dispose / Improve / Repair – Numerical Assessments 12

Structured Replacement Facilities for Justice Services 12

Schematics of Replacement Facilities 14

Facilities Construction Criteria 18

Replacement of Existing Facility Requirements 18

Service Calls and Arrests in 24 hour period 18

New Bookings and Already Housed Inmates 18

Under-reported Inmate Overcrowding, one-day sampling 18

Jails in Indian Country operating above 150% of Capacity on the peak day during June 2004 19

Replacement of Existing Facility Requirements 2007 - 2017..... 19

Crime Statistics..... 21

Detailed Construction Costs Analysis for fourteen types of facilities 21

Annual Facilities Operations and Maintenance Costs Analysis 22

Annual Program Operations Costs Analysis 22

Unit Capital Costs 22

Unit Capital Costs Summary 22

Details for Unit Capital Costs 23

Deferred Repairs and Maintenance Costs Analysis 23

Deferred Repairs and Maintenance Costs – Inventoried Facilities 23

Deferred Repairs and Maintenance Costs – Non Inventoried Facilities 23

Deferred Repairs and Maintenance Costs Details for Existing Facilities 23

Composite Capital Cost Requirements Analysis 24

Location Maps of Facilities in Master Plan 24

Appendices..... 25

Appendices

Appendix A - Chronological Progress 26

Appendix B – List of Facilities Assessed 31

Appendix C - Individual Assessment Reports 34

Appendix D - Findings at Existing Facilities in 34 Key Categories 505

Appendix E - Critical Concerns – Pictorials 522

Appendix F – Dispose / Improve / Repair (DIR) – Numerical Assessments 871

Appendix G - Structured Replacement Facilities for Justice Services 889

Appendix G1 – Schematics of Replacement facilities – Tier I, Tier II and Tier III ... 897

Appendix G 2 – Facilities Construction Criteria 904

Appendix H - Replacement Facility Requirements 918

Appendix H 1 – Service Calls and Arrests in 24 hour period 920

Appendix H 2 – New Bookings and Already Housed Inmates 922

Appendix H 3 – Under-reported Inmate overcrowding, one day sampling 924

Appendix H 4 – Jails in Indian Country operating above 150% of Capacity 927

Appendix H 5 – Replacement Facility Requirements 2007 – 2017 928

Appendix H 6 – Crime Statistics – BIA office of Justice Services 944

Appendix I - Detailed Construction Costs Analysis for fourteen types of facilities 950

Appendix J - Annual Facilities Operations and Maintenance Costs Analysis 1024

Appendix J1 – Annual Facilities Operations and Maintenance Costs 1025

Appendix J2 – Facility Operations and Maintenance Cost Analysis 1026

Appendix K - Annual Program Operations Costs Analysis 1028

Appendix L - Unit Capital Costs 1036

Appendix L 1 – Unit Capital Costs Summary 1037

Appendix L 2 – Details for Unit Capital Costs 1038

Appendix M - Deferred Repairs and Maintenance Costs Analysis 1039

Appendix M 1 – Deferred Repairs and Maintenance Costs – Inventoried facilities ... 1040

Appendix M 2 – Deferred Repairs and Maintenance Costs – Non-inventoried facilities 1043

Appendix M 3 – Deferred Repairs and Maintenance Cost Details for Existing facilities 1044

Appendix N – Composite Capital Cost Requirements Analysis 1237

Appendix O – Location Maps of facilities addressed in Master Plan 1256

DRAFT

Executive Summary
Master Plan for Justice Services in Indian Country

Operational Concept

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

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

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

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

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

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

Purpose

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

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

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

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

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

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

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

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

Approach

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

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

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

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

Methodology

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

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

Condition and Operations Assessment

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

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

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

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

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

Findings

1. Life and safety of officers and inmates are at risk for lack of adequate Justice Facilities and programs in Indian Country.

2. Only half of the offenders are being incarcerated who should be incarcerated; the remaining are released through a variety of informal practices due to severe overcrowding in existing detention facilities.

3. A discrepancy was noted between the number of service calls, arrests and bookings leading to the conclusion that many incidents are not reported.

4. The character of offenses has changed considerably with more severe crimes than in the past. Increasingly, felons are being incarcerated in Indian Country instead of misdemeanors.

5. Most facilities are dysfunctional, resulting from changes in prevalent law that was in effect when the facilities were built as far back as 70 years ago.

6. There is a lack of space for healthcare, rehabilitation, program space, secure flammable storage, secure evidence storage and secure weapons storage.

7. The Justice Facilities' infrastructure continues to deteriorate and most facilities are in disrepair.

8. Shortage of funds for 'program operations' and 'operations and maintenance' for Justice Facilities throughout the Justice system, extends even to the new facilities.

9. The preponderance of Justice Facilities in Indian Country are reaching the end of their useful life.

10. Contract beds are not readily available due to remote location of communities and demand for space from local and other federal agencies.

11. Additional detailed findings related to the program assessment and facility assessment based on the assessment of 38 Tribal and BIA facilities are noted in Appendix D. These findings are grouped in 34 key categories.

Conclusions

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

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

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

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

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

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

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

Master Plan Details

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

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

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

Individual Assessment Reports - Appendix C
The individual assessments provide detailed reports of the Program assessment and Facility assessment of each of the 38 sites that were visited.
Each individual report begins with Section 1 which provides the background information that includes: location, land mass, population, labor force, physical description, climate, government structure, business structure, physical infrastructure, and community services that include healthcare and education.
Section 2 provides an assessment of the Program. Section 3 provides an assessment of the Facility.

Findings at Existing Facilities in 34 Key Categories - Appendix D[1]
Besides the individual reports regarding assessments of each individual site provided in Appendix C, an overview of our findings is also provided based on the collective assessment of the sites that were visited. These are grouped in 34 key categories.
Titles in bold indicate single items that are critical for an appropriate functioning of a law enforcement program and/or a detention facility, violation of which is in and of itself sufficient reason to investigate and provide solutions to the program and the facility. However, often facilities exhibit more than one of such critical deficiencies.
While all of the key categories are important, those identified with their headings in **bold** font are critical and require immediate solutions for the continued operation of the facility.

Critical Concerns – Pictorials, - Appendix E[1]
The Critical Concerns in providing justice services for the safety and security in Indian Country are noted as a pictorial in 21 areas of concern. This pictorial is noted as Appendix E. This Appendix E is a continuation of Appendix D which narrated the findings in 34 key categories. The Critical Concerns

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

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

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

Replace / Repair / Improve Existing Facilities – Numerical Assessments, Appendix F
Contents of Appendices B, C, D and E were evaluated numerically for each site and prioritized with a progressive Dispose / Improve / Repair (DIR) of facilities.

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

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

Structured Replacement of Existing Facilities for Justice Services - Appendix G
Providing justice services to the Indian Country within the context of culture, traditions, distances, locations, sovereignty of jurisdiction, legal structure of Indian laws and regulations, U.S. laws and regulations and criminal activity, is a complicated subject.

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

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

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

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

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

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

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

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

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

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

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

Schematics for Replacement of Existing Facilities - Appendix G 1[2]

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

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

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

General Considerations for Construction of Replacement of Existing Facilities

1. Each tier of facility will accommodate male and female adults and male and female juveniles.

2. The central control station or the command and control center serving the inmates shall be separate from the Dispatch serving law enforcement.

3. Facility Core and Expansion considerations.
   The facilities are planned for a core area with all critical infrastructures for the present and foreseeable future needs of the facilities for the next forty years. The expansion pods will allow for the expansion, contraction and appropriate direct supervision of the beds and pods. The facilities could also expand in a T configuration without sacrificing the core. The facilities are designed for 'Direct Supervision' for efficient operations by staff minimizing Program Operation costs.

4. Facility Leadership in Energy and Environmental Design (LEED®) considerations.
   All facilities will provide features that should enable them to target a "Gold" LEEDs certification from the United States Green Building Council (USGBC). LEED® considerations are included in the Appendix G2 – Facilities Construction Criteria that follows the Appendix G1.
   Among other features, there will be a system of photovoltaic panels on the roof of the main buildings in all of the southwest and the Sunbelt regions. The roof, though flat will have a slight pitch for drainage. The roof will have a structure to mount the photovoltaic panels. The parapet will be just high enough to hide the panels from outside view.
   Facilities in the Great Plains will, in addition have Wind Generators.
   The single story buildings provide for daylighting that offsets the artificial lighting demand costs of lighting inmate spaces during the day.

5. Facility 'Site Utility' building consideration.
   Each Tier I and Tier II facilities will require a 'Utility Building' on the site, at or adjacent to the main facility. This building is intended to include the Emergency Backup Generator, Inter-utility tie-in and metering equipment for locally generated power, water softening system, recycling center for plastics, paper, etc., controls for mechanical, electrical, waste and plumbing systems, storage batteries room and an office for the plant manager.

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

6. Site considerations
   Site development will require approximately 1 to 2 acres for a Tier I facility and 5 to 7 acres for a Tier II and/or a Tier III facility.
   Due considerations must be given to the site selection in coordination with the site considerations that are recommended by the United States Green Building Council (USGBC). Sites need to be selected to provide minimum impact to the existing eco systems, historical, cultural and religious heritage.
   Electric power, communications, water and waste water connections are required at the site. An above ground water storage tank is required as needed.
   Automobile fueling is not desirable at these facilities, so there will be no need for fuel tanks or fuel pumps at the site.
   A sewage lift pump station will be required.
   A perimeter security fence will be required.

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

Tier I Schematic[3]

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

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

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

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

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

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

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

Each dormitory opens into the outdoor recreation yard.

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

Tier II Schematic[4]

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

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

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

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

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

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

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

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

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

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

Tier III Schematic[5]

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

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

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

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

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

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

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

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

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

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

Facilities Construction Criteria - Appendix G 2[6]
Appendix G 2 is a follow-up of Appendix G 1 which provides a schematic of the Tier I, Tier II and Tier III facilities.

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

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

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

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

Service Calls and Arrests in 24-Hour Period - Appendix H1[7]
This appendix tabulates the number of service calls received in a 24 hour period. Note the striking disproportionate number of arrests that are made for the number of calls that are received in the 24 hour period.

New Bookings and Already Housed Inmates - Appendix H2[8]
Once arrested, inmates are booked and/or released based on available food and bed space. Typically, already housed inmates are released to make room for new arrivals. Often the numbers of new arrivals overwhelm the available capacity making for a high turnover rate. An unwritten understanding of either not arresting, not booking, housing for a few hours, or not housing at all, is prevalent — to circumvent appropriate available housing for inmates.

Under-Reported Inmate Over-Crowding, One-Day Sampling - Appendix H3[9]
The number of inmates housed often exceeds the bed capacity, at times up to five times the capacity. Consent court decrees are often violated. Inmates are often released at dawn, before the formal inmate count is taken. The number of inmates housed is often under-reported to management for fear of a potential closing down of a facility.

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

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

[8] Information obtained from OJS-BIA, June 2007.
[9] Information obtained from OJS-BIA June 2007.

Jails in Indian Country Operating above 150% of Capacity on the Peak Day during June 2004 Appendix H4[10]

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

Replacement of Existing Facility – Requirements 2007 – 2017 - Appendix H5[11]

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

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

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

Often more than one category applies to a given 'site' for administrative purposes.
The relationships and internal governance of the sovereign tribes is flexible and changes over time. Thus the categories could only be ascertained as a 'snapshot' of understandings and agreements at the time of this report.

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

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

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

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

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

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

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

At the Navajo Nation the 2000 census reports a population of 180,462[12]. 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 population[13] at the Navajo Nation. Chapter Images 2004 states in part, "…the Census Bureau did not take into consideration the legal definition of "Indian Country" and its potential implications and impact on Navajo Nation Government's role as service provider, policy maker, and land user within said Eastern Navajo Agency Chapters. The Navajo Nation did not contest the results of the census 2000 because this census was the best population count ever taken on the Navajo Nation."

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

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

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

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

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

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

[12] Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Table 5: Profile of General Demographic Characteristics. P. 17
[13] Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Use of Census 2000 Disclaimer. P. 11

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

Crime Statistics 2007 – Appendix H6[14]
This appendix provides crime rate for 1) Violent Crime, 2) Property Crime and 3) All Other Crime. The Crime Rate per 100,000 inhabitants is very high. This data does not include about 50% unrecorded/released offenders and yet another 25% offenders held back by the judges.

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

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

The data includes 68% or 164 agencies that reported.

Detailed Construction Costs Analysis for Fourteen Types of Facilities - Appendix I [15]
Detailed Construction Costs have been calculated for the fourteen individual Facility Types. The construction cost is based on the best forecasted value of 'Year 2011 dollar'. The cost does not take into consideration the cost of land. Approximately 5 to 7 acres will be needed for a single/two story facility relatively away from the business and residential center.

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

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

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

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

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

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

[14] Information obtained from OJS-BIA, March 2008
[15] Information obtained from: (1) R. S. Means, Building Construction Cost Data 2007, 2006, (2) National Construction Estimator, 53rd edition 2005, (3) National Building Cost Manual, 30th edition 2006, and (4) Saylor Current Construction Costs, 42nd edition 2005.

Annual Facilities Operations and Maintenance Costs Analysis - Appendix J[16]
The recurring annual capital costs for the operations and maintenance of facilities are calculated from historic costs and then projected forward for the new facilities based on the size of the facility and projected escalation from inflation in future years. The costs are summarized with appropriate backup in Appendices J1 and J2.

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

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

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

Annual Program Operations Costs Analysis - Appendix K[17]
The recurring annual capital costs for the Program Operations are analyzed for staffing, food, healthcare and educational programs, consumable supplies, durable supplies and transportation. These operations costs are calculated as a percentage of the initial capital cost of the facility, which in itself is based on the functions that it will serve.

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

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

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

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

Unit Capital Costs Summary - Appendix L 1[18]
1) Initial Capital Costs for Construction of the fourteen Facility Types
2) Annual Facility Operations Costs
3) Annual Programs Operations Cost

[16] Information obtained from Operations and Maintenance history at OFMC-BIA. Escalations are based on Inflation data from Federal Reserve.
[17] Information based on (1) Program Operations market cost from field interviews at BIA and Tribal facilities, (2) National Institute of Corrections (NICIC) Budget Guide for Jail Administrators and (3) Gap Analysis (Staffing Shortfall) OJS-BIA January 2006: Average Officer's annual salary 2011- $54,000/FTE.

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

Details for Unit Capital Costs - Appendix L 2[19]
These details include items not customarily included in facility construction costs such as:
1) Initial Capital Costs for housing for 20% of the employees.
2) Extraordinary soft costs including liability insurance, local taxes, documentation for accountability and in-house project management by the government.
Figures from the last column L are transferred to Appendix L 1 to develop the summaries for unit capital cost for initial capital cost for each tier and each type of facility within a tier as well as Capacity Upgrades, Annual Facility Operations costs and Annual Programs Operations cost.

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

Deferred Repairs and Maintenance Costs Analysis - Appendix M[20]
Existing facilities need to stay functional, while the new Capital Cost Replacement Facilities program is underway between the year 2007 and year 2017. Deferred Repairs and Maintenance need to be undertaken during this transition period.
Detailed Repairs and Maintenance Costs have been calculated by (1) Observing deficiencies during actual site visits and calculating costs, (2) Updating FMIS records by site personnel through training by BIA, and (3) Extrapolating costs using the database created and validating telephone calls for non visited sites.
The costs take into consideration the age, physical space and remoteness of the facility to the availability of skilled services.

Deferred Repairs and Maintenance Costs – Inventoried Facilities, - Appendix M1[21]
This appendix provides the Deferred Repairs and Maintenance Costs for Inventoried Facilities. Through a formal acceptance process, these facilities have been included as BIA inventory facilities. These facilities include Tribal, Self Governance, PL 638 and BIA facilities.

Deferred Repairs and Maintenance Costs – Non-Inventoried Facilities, - Appendix M2[22]
This appendix provides the Deferred Repairs and Maintenance for Non - Inventoried Facilities. These facilities have not been included as BIA inventory facilities. These facilities include Tribal, Self Governance, and PL 638 facilities.

Deferred Repairs and Maintenance Costs Details for Existing Facilities - Appendix M3[23]
This appendix provides detailed cost calculations for the deferred repairs and maintenance of existing facilities that were visited.

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

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

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

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

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

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

Composite Capital Cost Requirements Analysis - Appendix N[24]
The composite capital costs requirements are tabulated for Repairs and Maintenance of Existing Facilities, Initial Capital Cost for Replacement of Existing Facilities, Facility Operations and Maintenance Costs for forty years and Program Operations Cost for forty years.

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

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

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

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

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

Location Maps of Facilities Addressed in Master Plan - Appendix O
This appendix provides maps of the United States that depict the locations for planned replacement of existing facilities, as well as existing facilities that are addressed in the Master Plan.
These maps depict: (1) Facilities Requiring Deferred Repairs and Maintenance, (2) Replacement Tier I facilities, (3) Replacement Tier II facilities, (4) Replacement Tier III facilities (5) Facilities requiring Capacity Upgrade and (6) Composite map of all facilities addressed in the Master Plan.
Each of the maps also provides a detailed reference legend to identify (1) Tribal Facilities, (2) PL-638 Facilities, (3) Self-Governance Facilities and (4) BIA facilities.

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

List of Appendices

Appendix A - Chronological Progress

Appendix B – List of Facilities Assessed

Appendix C - Individual Assessment Reports

Appendix D - Findings at Existing Facilities in 34 Key Categories

Appendix E - Critical Concerns – Pictorials

Appendix F – Dispose / Improve / Repair (DIR) – Numerical Assessments

Appendix G - Structured Replacement of Existing Facilities for Justice Services

Appendix H - Replacement of Existing Facility Requirements

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

Appendix J - Annual Facilities Operations and Maintenance Costs Analysis

Appendix K - Annual Program Operations Costs Analysis

Appendix L - Unit Capital Costs

Appendix M - Deferred Repairs and Maintenance Costs Analysis

Appendix N – Composite Capital Cost Requirements Analysis

Appendix O – Location Maps of facilities Addressed in Master Plan

Appendix A

Chronological Progress

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

DRAFT

Chronological progress update

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

February 2006 to September 2006
- Completed assessments including data-gathering with site investigations, meetings and site interviews for each of the 38 sites.
- Completed the digital Photographic Record documentation of the interiors and exterior of existing facilities for each of the 38 sites approximating 6200 photographs.
- Completed Program and Facility evaluation report for each of the 38 sites.
- Completed the Facility Condition Index FCI for each of the 38 sites.
- Compiled the consolidated costs for each facility including deferred repairs and maintenance cost, same size replacement facility cost, and new facility cost for the 38 sites.

September 2006 to October 2006
- Presentation of findings at the conference with Department of Justice in Albuquerque. Discussion on the fallacy of funding new facility construction without follow-up funding for the associated program operations and operations for repairs and maintenance over the life of facilities – that do not have an operating revenue source for their continued operations. Fallacy of facilities' dependence on grants, corporate charitable contributions, NGO Charities, community donations and family contributions to support justice services in the Native American country.
- Presentation of the impact of the safety and security of officers and inmates resulting from inadequate facilities and funding for the Program Operations and Facilities' Operations and Maintenance
- Presented summary of findings and recommendations to Mr. Chris Chaney.

November 2006
- Submitted the consolidated 'Interim Report – 111606' for all of the data gathered, findings, conclusions, costs and recommendations.

December 2006
- Presented the consolidated interim report to senior management in Albuquerque.
- Discussions on finding comprehensive long-term solutions based on the assessments thus far.
- Discussion on preliminary evaluations and prioritizing future work resulting from the assessments.

January 2007
- Presentation of the consolidated interim report to senior management and Director Mr. Pat Ragsdale in Washington, DC.
- Discussion on primary evaluation and prioritization of future work during the presentation.

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

February 2007 continued past assessments

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

February 2007 continued future long-term developments

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

March 2007

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

April 2007

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

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

May 2007

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

June through and August 2007

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

September, October, November and December 2007

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

January 2008

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

January 2008 through May 2008

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

Planned June 2008 through September 2008

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

List of 38 Facilities that were assessed

Appendix B

List of Facilities Assessed

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

DRAFT

List of 38 Facilities that were assessed

List of 38 Facilities that were Assessed

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

List of 38 Facilities that were assessed	
Northwest District	
A. Warm Springs Detention Center-Warm Springs, Oregon 97761	BIA
B. Spokane Law Enforcement Center-Wellpinit, Washington 99040	BIA
C. Quinault Detention Center-Taholah, Washington 98587	Tribal/BIA/ Self Govern
D. Fort Hall Detention Center-Fort Hall, Idaho 83023	Tribal
E. Puyallup Detention Center- Tacoma, Washington 98404	Tribal
F. Yakama Police Department-Toppenish, Washington 98948	Tribal
G. Nisqually Police Department-Olympia, Washington 98513	Self Govern
Southwest District	
A. Laguna Tribal Detention Facility-Laguna, New Mexico 87026	Tribal
B. Taos Tribal Detention Center-Taos, New Mexico 87571	Tribal

DRAFT

Appendix C

Individual Assessment Reports

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

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

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

Section 1

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

Spirit Lake Reservation[1]
(Formerly Fort Totten Reservation and Devil's Lake Reservation)
Federal reservation
Mni Wakan Oyate Sioux
Benson, Nelson, Ramsey, and Eddy counties, North Dakota

Spirit Lake Sioux Nation
816 Third Avenue North
Fort Totten, ND 58335
701-766-4221
701-766-4126 Fax
Website: spiritlakenation.com

Total area (BIA realty, 2004) 67,821.87 acres
Total area (Tribal source, 2004) 245,141 acres
Tribally owned (BIA realty, 2004) 34,382.19 acres
Tribally owned (Tribal source, 2004) 31,573.59 acres
Federal trust (BIA realty, 2004) 343 acres
Individually owned (BIA realty, 2004) 33,096.68 acres
Allotted (Tribal source, 2004) 33,410.51 acres
Other (Tribal source, 2004) 8,750 acres

Population (2000 census) 4,435
Tribal enrollment (BIA labor report, 2001) 4,948

Total labor force (2000 census) 1,642
Total labor force (BIA labor report, 2001) 2,413
High school graduate or higher (2000 census) 70.5%
Bachelor's degree or higher (2000 census) 9.9%
Unemployment rate (2000 census) 17.5%
Unemployment rate (BIA labor market report, 2001) 65%
Per capita income (2000 census) $8,392

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

LOCATION AND LAND STATUS

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

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

PHYSICAL DESCRIPTION

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

CLIMATE

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

GOVERNMENT

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

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

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

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

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

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

Fuel – Montana Dakota Utilities provides gas.

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

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

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

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

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

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

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

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

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

Section 2
Program Review
May 17, 2006

1. Funding of Operations
BIA provides for the operations through the PL 638 program. The tribal funds paid for the juvenile detention which has ceased operation at this facility. Thus the detention program at this facility is operated entirely through the PL 638 funds.

2. Funding of Repairs and Maintenance of Facility Structure
The BIA provides common funding for the repairs and maintenance of this facility in addition to 20 other facilities in this area that are supported by the same common pool of $121,000 for staff salaries, repairs, maintenance and periodic emergencies for all 21 buildings. The cost of utilities for this facility is approximately $36,000 per year. There are insufficient funds to maintain appropriate staffing throughout the year. Of the four staff members, one to two individuals are laid off eight to nine months into the fiscal year.

3. Policies and Procedures
At this time there are no approved or accepted policies and procedures for this facility. The BIA Redbook does not provide sufficient guidance for a small facility such as this. The BIA white binder (1996 – 1999 versions) was used as a guide to develop the local policies and procedures for this facility. A revised version of these Policies and Procedures, specific to this facility were sent to BIA in Albuquerque by Captain Dwight Ballinger but thus far the facility has not received a response with comments or a final acceptance of the policies and procedures.

4. Staffing
The facility is understaffed with a total of three certified and two non-certified detention officers. There is insufficient staff to provide for one male and one female officer at all times. Generally only one officer is on duty at all times. This officer provides transportation, escort and meal delivery services from the casino.

5. Programs
The facility provides evaluation and counseling for mental and alcohol abuse. The facility also provides classes in 'anger management'.

6. Staff Training
No routine training is offered to complete the 40 hours of training requirement per year. The detention officers received 'Policies and

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

7. Space for Inmates On-Site
There is total space of 26 beds at the facility. Of these, 22 beds are allocated for male inmates and 4 beds are allocated for the female inmates. This housing is distributed over six dormitory cells and two detoxification cells. The facility housed a maximum of 32 inmates in August 2005. An average of 26 inmates is the norm. The excess inmates are generally 'negotiated out' through the early release program or are 'bonded out' with minimum bonds. There were 11 male and 3 female inmates on the day of the visit.

8. Space for Inmates Off-Site
Inmates are sent to the Devils Lake County Detention Facility 16 miles away or to the Turtle Mountain Detention Facility 80 miles away. On occasion, however, these facilities are also filled to capacity and send their inmates in reverse - to this facility, if there is an available bed vacancy.

9. Staffing Capacity for the Inmates On-Site
There is insufficient staff for the number of inmates, design of the facility and the duties of the detention officer at the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officer provides for all of the transportation, escort and delivery of meals for the inmates.

11. Office Supplies for Staff
There are sufficient office supplies for staff.

12. IT Equipment for Office Use
There is insufficient IT equipment for use in the office. There is one computer station that is used for daily logs, cell rosters and memorandums. There is no booking software. All booking is conducted on manual logs. All fingerprinting is conducted manually. The detention officer's office space serves as a booking office but not as a central control station for detention. The dispatch still monitors the cameras for the facility at a separate location.

13. IT Equipment for Communications Use
There is no IT equipment for use by the detention officers to communicate. There are no radios or intercommunication systems between the cells and the detention officers or between the detention officers and law enforcement arresting officers.
There is a need for the detention officers for radios with push-to-talk switches, battery chargers and spare batteries.

14. Personal Supplies for Inmates
There are sufficient personal supplies for inmates.

15. Uniforms for Staff and Inmates
There are sufficient uniforms for the staff and inmates.

16. Linen for Inmates
There are sufficient blankets and mattresses for inmates.

17. Furniture and Fixtures for Staff and Inmates
There are insufficient institutional furniture and fixtures for the inmates who generally use folding tables and lawn chairs as furniture in addition to their steel bunks.

18. Transportation Vehicles
There is no transportation vehicle that may be used for transporting inmates to the court, health care facility or to another detention facility; or for the delivery of meals for the inmates. The detention officers borrow a police vehicle from law enforcement for such use.

19. Fuel for Vehicles
The law enforcement officers provide funding for fueling vehicles.

20. Utilities for Facility
There are sufficient funds to pay for the utilities at the facility. The utilities billing approximates $36,000 per year.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is no kitchen at the facility. There is hot and cold water for the laundry, however, there is no hot water at the showers for the inmates.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. Lighting in the housing area for the inmates is insufficient. Lighting circuits need to be repaired to provide electrical power for light fixtures in the housing area.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at the facility at this time.

24. Deferred Repairs and Maintenance
The facility was built in 1965 and has had no major repairs or maintenance. There have been five cosmetic renovations over the years. The facility requires updating of the deferred repairs and maintenance and replacement of the aging physical equipment. The following are needed:
    - A surveillance camera system with 28 pan-tilt-zoom cameras, four recording cameras, a central console and monitors with high resolution monitors
    - Four shower stalls
    - Six combination sink-lavatory units
    - A standalone heating, ventilation and air-conditioning system including a boiler replacement, all distribution ductwork for

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

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

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

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

28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.

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

30. Repairs and Maintenance Staff at the Facility

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

31. Inmate Services Provided at the Facility
The facility provides classes in 'anger management' and general counseling for alcohol and drug abuse. The judge grants work release program for the inmates who may work at Devils Lake but have to provide their own transportation to their workplace. The judge also grants inmates the ability to take college courses or to complete the GED program at the college which is located about five minutes from the facility.

32. Healthcare Assistance in the Community
There is a mental health care and alcohol and drug abuse program extended to an aftercare program that is available in the community for use by inmates.

33. Other Support Agencies in the Community
The Four Wind School provides family night, cooking and arts-and-crafts classes on a monthly basis. The local college provides the ability to attend classes and to complete a GED program.

34. General Reasons for Detention
Most detainees are incarcerated as a result of violent crimes, which have a rate of 1430 per 100,000 inhabitants. The rate for property crime and all other crimes is 1944 and 45,814 per 100,000 inhabitants respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates can hurt themselves by using articles of clothing, plastic garbage sacks used as shower curtains and the bars on the jail cell doors.

36. Accountability and Reporting of Incidents
Incidents are reported to Greta Baker at the BIA.

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

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

- Two other inmates complained of insufficient food.

- Several of the cell doors are solid steel and when closed provide very little air circulation through the very small vents high up on the cell wall. With high humidity, it is extremely stuffy in the cell.

- On average the inmates do not get any outdoor time. Several inmates concurred that they get one hour of outdoor time over a two-week period. The detention officer noted that she does not have sufficient staff to monitor the inmates while they are in the recreation/exercise yard and the chain-link fence has a hole in it that has not been repaired.

- When the inmates ask for outdoor time the detention officer threatens them that he can give them one hour of outdoor time but will then have to keep them locked up in the cell for the remaining 23 hours. The cell is extremely stuffy with the door closed so the inmates are afraid to ask for such outdoor time.

- Clean blankets are provided only once a month.

- One inmate requested to be permitted to hold his 10-month-old baby with appropriate precautions of prior search by authorities, but was denied. He is serving eight months at this facility. His four-year-old has now been moved to foster care and the youngest child is being taken care of by the grandparents. He is not permitted to see his wife for she is also serving time at this facility.

- Several inmates confided that they will now be punished for having talked with an outsider.

Section 3
Facility Review
May 17, 2006

1. Exterior Site Conditions
The general exterior site conditions are poor. The general public has access to the recreational areas as well as up to the windows on the exterior wall corridor of the individual cells.

2. Exterior Exercise/Recreation Area
The exterior exercise/recreation area consists of an enclosure with a chain-link fence topped with razor wire. The area is not used for a lack of staff to monitor the inmates and since a hole in the fence has not been repaired.

3. Exterior Perimeter Security
The exterior security of the perimeter is very poor. There are three cameras that monitor the entire perimeter, leaving several blind spots that are not monitored. The monitors for the cameras are located in the dispatch and not at the central control station for detention. The picture quality of the cameras and the resolution of the monitors are very poor.

4. Sally Port Security
There is no specific Sally port at this facility. The two-car garage serves as the drop-off for the inmates. A door from the garage opens into the corridor which leads to the booking window at the detention officer's office.

5. Building Interior Security
The interior security of the building is poor. Although there are a number of cameras that have been installed over the years, they are not monitored at the central control station by the detention officer. Rather the low-resolution monitors provide out-of-focus images from the cameras to the dispatcher who is busy with the dispatch functions rather than with the detention and security functions.
The physical building layout for detention facility is very poor. Various functional areas for the male and female inmates are scattered in the facility rather than being consolidated. These functional areas are linear in access and visibility. Thus each function has to be monitored either by a personal walk-through or by an individual camera. Generally there is only one detention officer on duty at any given time. This one individual cannot monitor all inmates in all cells concurrently.

6. Building Structure
The building structure consists of a block-wall foundation and a block-wall structure wrapped in insulation and covered with a steel siding.

7. Building Roof
The building consists of two rectangular single-story structures each covered with a pitched shingle-covered roof. The roof is 12 years old and leaks in several places.

8. Interior Ceilings
The interior ceilings consist of dropped lay-in ceilings in the office areas and hard ceilings in the cell areas.

9. Interior Walls
The interior walls consist of framed walls with a sheetrock covering for the offices and block-wall construction in the cell areas.

10. Interior Flooring
The interior flooring is in disrepair. The interior flooring consists of glued-on vinyl tile on a subfloor base in the office areas and painted concrete in the cell areas.

11. Interior Dormitory Cells
There are six interior dormitory cells for male inmates surrounded by a corridor. The female inmates are housed in a different area of the building. The juvenile dormitory cell is now being used for storage.

12. Interior Isolation Cells
There are no specific isolation cells at the facility.

13. Interior Detoxification Cells
There are two detoxification cells, one each for the male and female inmates.

14. Booking and Intake Area
Inmates are escorted from the garage through a corridor up to the booking window at the detention officer's office. There is insufficient room at the corridor. The booking area is poorly laid out and is detrimental to the security of the officer.

15. Visitation Area
There is a small visitation area that is not monitored by cameras.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area.

17. Dining Area
Inmates use their cells or the small day room for dining.

18. Day Room Area
A small day room provides a space to watch television and dine. The day room is equipped with a folding table and plastic lawn chairs.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no first aid or medical assistance area at the facility.

21. Toilets and Showers
The toilets and showers are in disrepair. There are no 'rag screens' at the sanitary sewer cleanouts. There is no hot water at the showers.

22. HVAC System
The facility does not have a conventional HVAC system. Rather, heating is implemented using a gas-fired boiler associated with fan coil units through a system of distribution duct work, anchored low in the corridors. There is no dedicated cooling system for the facility. Two individual cooling units are placed on the rooftop to cool the dispatch and communications room. HVAC controls do not operate and there is insufficient air movement through the system to provide sufficient supply and return air in each of the cells. Cells on either end of the building are either too hot or too cold. The cells are very stuffy and odorous. This makeshift system is inadequate and antiquated.

23. Plumbing System
The plumbing system is inadequate. There is no hot water at the showers. Water lines are located in the attic which is subject to extreme low temperatures causing them to freeze and rupture. The sanitary sewer system is operational although it gets plugged up when inmates attempt to flush down articles of clothing through the toilets. There are no 'rag screens' at the sewer cleanouts.

24. Lighting System
The lighting system provides insufficient lighting for staff and inmate areas.

25. Electrical Power System
The electrical service was installed in 1965. Electrical power is served through an overhead 400 amp, 208 Y/120 volts – 3 phase four wire service. This electrical power is backed by a 50 KW backup generator which is protected with a150 amp circuit breaker. There is a system of battery backed emergency egress lighting in the facility. It could not be determined if the backup generator and the backup emergency lighting are tested on a routine basis.

26. IT System
There is a minimal IT system serving the dispatch at the facility.

27. Security System
The building security system consists of interior and exterior cameras some of which are in the process of being replaced. There is no intercommunications system between the cells and the detention officer's station.

28. Energy Usage and Conservation
The original block-wall structure is wrapped with insulation and finished with exterior steel siding. No additional weatherization has been implemented for the last 41 years. As such the building is subject to cold drafts through the crevices around the doors and floors. This area is subject to the cold Arctic jetstream that blows through the winter months from Canada. The high daytime temperature on a sunny winter day could be -21° Fahrenheit.

29. Fire Egress – Exterior and/or Secured Areas
There is no appropriate secured area to evacuate the inmates during an emergency. Inmates were transported to the Devils Lake County Jail during the last emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are smoke detectors, strobe-horn annunciators and a fire alarm system with a fire alarm control panel. There are fire extinguishers located at appropriate locations. However, there is no fire sprinkler system at the facility. The fire alarm system and the fire extinguishers are tested on an annual basis.

31. Building Access for Staff and Inmates
Inmates are escorted through the garage while the staff accesses the building through the front entrance.

32. Hazardous Materials
All hazardous material was abated 10 years ago. There is no hazardous material as reported by the facilities staff.

33. Handicap Access for Staff and Inmates
The facility was not designed for access by disabled individuals. Over time a ramp was added without side rails and a restroom was modified to meet ADA standards. However, there are no other provisions for disabled inmates or staff at the facility.

34. Potentially Hazardous Elements
Inmates can hurt themselves by using articles of clothing; plastic garbage sacks used as shower curtains and the bars on the jail cell doors.

Section 1

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

Pine Ridge Reservation[1]
Federal reservation
Oglala Sioux
Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation
P.O. Box 2070
Pine Ridge, SD 57770
605-867-5821
605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres
Total area (Tribal source, 2004) 2,800,000 acres
Tribally owned (BIA realty, 2003) 705,839.58 acres
Tribally owned (Tribal source, 2004) 706,340 acres
Federal trust (BIA realty, 2003) 1,067,877.15 acres
Individually owned (BIA realty, 2003) 1,695.99 acres
Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068
Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741
High school graduate or higher (2000 census) 68.8%
Bachelor's degree or higher (2000 census) 11.1%
Unemployment rate (2000 census) 33%
Per capita income (2000 census) $6,298

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY FACILITIES AND SERVICES

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

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

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

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

Section 2

Program Review
May 12, 2006

1. Funding of Operations
   The facility is operated under the PL 638 program. Additional details for the funding of operations could not be determined.

2. Funding of Repairs and Maintenance of Facility Structure
   Details for the funding of repairs and maintenance for the facility could not be determined. The facility is owned by the BIA.

3. Policies and Procedures
   The facility reported that they have updated manuals for their policies and procedures. However, they are unable to comply for a lack of staff and because of deficiencies in the facility. Policies and procedures were not offered for a review during the site visit.

4. Staffing
   There are two certified corrections officers and four uncertified corrections officers dedicated to this facility. In addition, there are two certified corrections officers that are serving as temporary staff at this facility while they await the opening of the new Pine Ridge Facility at which time they will be transferred to the new facility.

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

6. Staff Training
   There is no additional training offered to the staff beyond the initial training at the Academy.

7. Space for Inmates On-Site
   This is a 24-bed facility including occupancy for four individuals in the detoxification cells. At the time of the visit there were 11 males and 6 females for a total of 17 inmates at the facility. Two weeks prior, on May 1, 2006 there were 31 inmates at the facility. The facility averages 26 to 28 inmates not including those who are released through 'negotiations' for lack of space at the facility. There were 72 inmates housed at this facility in August 2005 and the facility would house a peak of 200 inmates if the inmates are not released through negotiations with the court system.

8. Space for Inmates Off-Site
No inmates are housed off-site.

9. Staffing Capacity for the Inmates On-Site
The facility has a shortage of staff at all times. Only one detention officer was on duty on the day of the visit.

10. Staffing Capacity for Transportation and Escort of Inmates
The detention officers also provide transportation and escort of inmates.

11. Office Supplies for Staff
The office supplies for the use by the staff are adequate up until September 30, 2006.

12. IT Equipment for Office Use
There is sufficient IT equipment for officers.

13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.

14. Personal Supplies for Inmates
There are sufficient personal supplies for inmates.

15. Uniforms for Staff and Inmates
There are sufficient uniforms for the staff and inmates.

16. Linen for Inmates
There are sufficient blankets and mattresses for inmates. One inmate reported that she was provided previously used and uncleaned blankets.

17. Furniture and Fixtures for Staff and Inmates
There are sufficient furniture and fixtures for the staff and inmates. Inmates use a combination of the newer molded plastic institutional furniture and the older steel benches.

18. Transportation Vehicles
There is one van that was procured through the surplus system. The vehicle is unreliable and does not have an appropriate secured cage for the transportation of inmates.

19. Fuel for Vehicles
There is sufficient funding for vehicles.

20. Utilities for Facility
There is sufficient funding for the utilities at the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is no kitchen at the facility. There is no hot water at the showers and several combination sink/lavatory units in the cells do not have any water at all. The laundry has hot water.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas.

23. Ongoing Repairs and Maintenance
There is a continuous request for repairs of the roof which leaks often. A recent repair project was completed for the leaking ceiling at the entrance.

24. Deferred Repairs and Maintenance
The facility needs the following deferred repairs and maintenance:
- Provide new roofing for the facility
- Provide new floor tiles for the offices and corridors
- Provide new HVAC controls and a rebalance of their distribution
- Provide a new fire alarm control panel and a system of new detectors and strobe-horn units
- Provide replacement of all underground sanitary sewer lines and above ground plumbing for hot and cold water
- Replace the door operator and electrical system for the roll-up door at the Sally port
- Provide new exterior light fixtures around the perimeter of the building
- Provide new sufficiently sized hot water tank
- Provide appropriate exhaust vents for the lint from the dryers
- Provide new combination sink-lavatory units
- Provide new fire-sprinkler system
- Provide handicapped-accessible toilets for the visitors, handicapped-accessible showers and space for housing disabled inmates

25. Medical Response at the Facility
There is a first-aid kit provided at the facility. An ambulance is generally called which responds within two minutes. Inmates are transported to the IHS facility.

26. Booking Process at the Facility
The booking process at the facility is fairly poor. There are no cameras outside the Sally port. Booking is conducted in the corridor at the countertop window at the central control station. The booking officers are at risk for lack of space, recording cameras and the unavailability of a restraining chair nearby. The facility uses the Aegis corrections software which is slow and takes an excessive amount of time to book an inmate.

27. Food Service at the Facility
There is no kitchen at the facility. Meals are supplied from the adjacent facility for the juveniles.

28. Kitchen and Dining Staff at the Facility
There is no staff for the kitchen or dining needs at this facility.

29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. Inmates clean their own areas and the detention staff cleans their own areas as well. The inmate areas were found to be very dirty. The drains at the detoxification cells cannot be flushed and are full of putrid excrement matter.

30. Repairs and Maintenance Staff at the Facility
Repairs and maintenance are provided by the BIA, however, the repair and maintenance staff is slow to respond. The detention staff purchases cleaning supplies using their own personal funds for general housekeeping and repairs, which are needed for cleaning graffiti and upkeep of the lawnmowers.

31. Inmate Services Provided at the Facility
A health care nurse visits the facility on a periodic basis. It could not be determined if the inmates are screened for tuberculosis, hepatitis or HIV/AIDS.

32. Healthcare Assistance in the Community
Healthcare assistance is provided in the community by the IHS clinic.

33. Other Support Agencies in the Community
There is a local college in the community that provides support to the facility.

34. General Reasons for Detention
Most detainees are incarcerated as a result of violent crimes, which have increased in the past few years.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates may harm themselves by using articles of clothing and the drain-holes provided on the pans of their steel bunks. Inmates may also use the clothes-drying lines used in the recreation/exercise area to commit suicide. Inmates are placed on a suicide watch if a tendency to commit suicide is observed by the detention officers.

36. Accountability and Reporting of Incidents
Incidents are reported to the superior law enforcement officers in Aberdeen.

Section 3

Facility Review
May 12, 2006

1. Exterior Site Conditions
   The exterior site conditions of the facility are very poor. The site is located in a busy residential area with a preschool about 100 yards from the detention facility. The general public has access to the recreation yard which may be used to transfer drugs.

2. Exterior Exercise/Recreation Area
   The exercise/recreation area is used for drying clothes and large articles of linen and blankets that cannot be accommodated in the dryer. The drying lines are accessible to the inmates and these could become an element that inmates may use to commit suicide.

3. Exterior Perimeter Security
   There is only one exterior camera located at the exercise/recreation area, for the entire perimeter of the facility.

4. Sally Port Security
   The Sally port consists of an attachment to the building with a three-walled enclosure consisting of two rollup doors that may be used for the ingress and egress of a vehicle. Presently only one rollup door can be operated. Both rollup doors as well as the door between the Sally port and the facility are generally left open for ventilation.

5. Building Interior Security
   The interior security of the building is fairly poor. There are very few cameras that monitor the entire facility, which has a linear design and is difficult to monitor with few cameras. The one monitor at the central control station provides a very poor quality of image resolution from the cameras. There are no recording cameras at the booking area. Each of the cells is manually locked with a key. There are three electronically operated doors, one of which leads to the Sally port exterior of the facility and the other to the exercise/recreation area.

6. Building Structure
   The building is a block-wall structure with a brick veneer and a slab-on-grade foundation.

7. Building Roof
   The building has a flat tar and gravel roof that leaks often.

8. Interior Ceilings
The facility has sheetrock ceilings in the office areas and hard ceilings in the housing areas.

9. Interior Walls
All interior walls are of block-wall construction.

10. Interior Flooring
Glued-on vinyl tile is used for flooring in the corridors and offices. Painted concrete is used in the housing area. The vinyl tile has worn down to the bare concrete in high-traffic areas.

11. Interior Dormitory Cells
The interior dormitory cells are in poor condition. One section of the cells has been closed out where the toilets leak effluent into the cell area. The remaining cells have sink-lavatory combination units that do not provide sufficient hot or cold water under pressure for drinking and/or do not flush. In other areas toilets have been covered up and removed from service for lack of repair.

12. Interior Isolation Cells
There are no specific isolation cells at the facility.

13. Interior Detoxification Cells
All detoxification cells have a foul odor. Sewer floor drains in each of the three detoxification cells do not flush and excrement is backed up in the cells.

14. Booking and Intake Area
The booking and intake area is inappropriate. Booking is conducted in the corridor through a countertop in a window, which opens into the central control station. There is insufficient space for booking or an appropriate transition of the inmate to the cell.

15. Visitation Area
Contact visitation is used at the facility. There is no barrier or separation between the visitor and the inmate who sit across from each other. The detention officer cannot view the visitation area directly or through a camera. The detention officer is unable to determine if contraband is passed between the visitor and the inmate.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation area or pantry area at the facility.

17. Dining Area
There is no specific dining area at the facility. Every two cells have a common space in front of the cells, which is used as a day room for the two cells. Inmates use this space as a day room and as a dining facility.

18. Day Room Area
There is no specific day room for the facility; however, inmates use the common space in front of their cells as a day room. Drinking water is provided in plastic containers for the inmates in these day rooms. A small common space with low partitions and a television set are provided across the central control station, which serves as a television viewing and reading area for the inmates.

19. Vocational Training Area
There is no vocational training area at this facility.

20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility. A first-aid kit is mounted in the corridor.

21. Toilets and Showers
The toilets and showers are in very poor condition. There is no hot water at the showers. There is either no water or water with insufficient pressure at the sink-lavatory combination units so that the inmates cannot use the water from the faucets for drinking. Several of the toilets as well as the sink-lavatory combination units have plugged up supply and drain lines and several toilets do not flush. Toilets have been removed from service for lack of repairs. One toilet is leaking effluent into the cell which has caused the cell cluster to be taken out of service.

22. HVAC System
The controls for the HVAC system are not functional. The HVAC units respond to the temperature demands in an opposite manner. It is either too hot or too cold.

23. Plumbing System
The plumbing system is in very poor condition. Most of the plumbing lines above ground and the sanitation sewer lines below ground do not operate well. There are no 'rag screens' at the cleanouts of the sanitation sewer lines.

24. Lighting System
The lighting system is adequate. All light fixtures are the original energy-inefficient fixtures from the 1970s. Light fixtures do not have the light bulbs and the exterior light fixture at the Sally port is broken and without a light bulb.

25. Electrical Power System
The electrical power system consists of a 1200 amp, 208 Y/120 volts, 3-phase four wire system served from a pad-mounted transformer. The system provides sufficient capacity for the facility. A15 KW backup

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

26. IT System
The IT system used by the facility is adequate.

27. Security System
The security system for the facility is inadequate. There are insufficient cameras and inappropriate monitors for the cameras.

28. Energy Usage and Conservation
The doors are generally kept open to the exterior as a result of inadequate ventilation. There is little consideration for energy usage or conservation at the facility.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is poor at the facility. There are three electronically operated doors, one of which leads to the Sally port and the other to the recreational/exercise yard to the exterior of the facility. The building cannot be evacuated in three minutes. There is no secured staging area for the evacuated inmates that are at a sufficient safe distance from the facility.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system with a malfunctioning fire alarm control panel. There are a few fire extinguishers and there is no fire sprinkler system at the facility.

31. Building Access for Staff and Inmates
The staff uses the front entrance and inmates are escorted through the Sally port.

32. Hazardous Materials
The facility was built in 1979 and there are no reported hazardous materials such as asbestos lead paint or mold at the facility.

33. Handicap Access for Staff and Inmates
There are no provisions for disabled inmates, visitors or staff at the facility.

34. Potentially Hazardous Elements
Inmates may harm themselves by using articles of clothing and the drain-holes provided on the pans of their steel bunks. Inmates may also use the clothes-drying lines used in the recreation/exercise area to commit suicide. Inmates are placed on a suicide watch if a tendency to commit suicide is observed by the detention officers.

Section 1

Background Information
of the
Pine Ridge Reservation
Served by the Loneman (Oglala) Law Enforcement Center

Pine Ridge Reservation[1]
Federal reservation
Oglala Sioux
Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation
P.O. Box 2070
Pine Ridge, SD 57770
605-867-5821
605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres
Total area (Tribal source, 2004) 2,800,000 acres
Tribally owned (BIA realty, 2003) 705,839.58 acres
Tribally owned (Tribal source, 2004) 706,340 acres
Federal trust (BIA realty, 2003) 1,067,877.15 acres
Individually owned (BIA realty, 2003) 1,695.99 acres
Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068
Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741
High school graduate or higher (2000 census) 68.8%
Bachelor's degree or higher (2000 census) 11.1%
Unemployment rate (2000 census) 33%
Per capita income (2000 census) $6,298

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY FACILITIES AND SERVICES

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

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

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

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

Section 2

Program Review
May 11, 2006

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

1. Funding of Operations
   The facility is owned by the BIA. The tribe provides for the operations of the building. Other details are not known.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides for the repair and maintenance of the facility.

3. Policies and Procedures
   There are no policies or procedures for the operations at the facility. The tribal buildings policy OST - DPS from the Oglalas Sioux tribe Department of Public Safety provides guidance for policies and programs at the facilities. The public safety officer reported that there is no need for the BIA policies and procedures at the facility.

4. Staffing
   There are five police officers who use the facility. There are no detention officers.

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

6. Staff Training
   The staff of five police officers who use the facility are certified from the Indian Police Academy in Artesia. Officers are unable to meet additional training of 40 hours every year. There is a very high turnover rate for the officers.

7. Space for Inmates On-Site
   There are two cells that lack any beds. The cells have fallen into disrepair.

8. Space for Inmates Off-Site
   All inmates are expected to be sent off-site to the Pine Ridge Corrections facility when it opens.

9. Staffing Capacity for the Inmates On-Site
There are no detention officers. The facility will not be used for extended incarceration.

10. Staffing Capacity for Transportation and Escort for Inmates
The police officers provide for the transportation and escort for the inmates to off-site locations.

11. Office Supplies for Staff
There are sufficient office supplies for staff.

12. IT Equipment for Office Use
There is sufficient IT equipment for office use.

13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.

14. Personal Supplies for Inmates
Personal supplies for inmates are not needed at the facility.

15. Uniforms for Staff and Inmates
There are adequate uniforms for the staff. Uniforms are not needed for the inmates.

16. Linen for Inmates
Blankets and mattresses are not needed for the inmates.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are adequate. There is no furniture needed for the inmates.

18. Transportation Vehicles
The law enforcement officers use their vehicles for transportation of inmates.

19. Fuel for Vehicles
There is sufficient fuel for vehicles.

20. Utilities for Facility
There is sufficient funding for utilities for the facility.

21. Hot and Cold Water for Kitchen, Laundry and showers
There is no kitchen, laundry or showers at the facility.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. Lighting in the cells is insufficient.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs or maintenance at this facility.

24. Deferred Repairs and Maintenance
The facility is in a state of disrepair. The facility is not used in an appropriate manner. What was meant to be a clear space for the storage and parking of fire trucks and other emergency vehicles is being used as a storage and repair garage for miscellaneous personal vehicles, official vehicles, carwash and an oil changing station for the law enforcement vehicles. The facility needs light fixtures, an emergency backup power system, a fire alarm/sprinkler system, sanitation sewer lines replacement, replacement of the hot water tank and associated plumbing repairs, concrete repairs of the block-wall and areas that were damaged during past escape by inmates, replacement of all existing doors, repairs of the rollup door and repairs of all of the tile flooring in hallways and offices.

25. Medical Response at the Facility
There is no provision for medical response at the facility. However, there is an ambulance service that is provided for the community that is available within about a two-minute drive from the facility.

26. Booking Process at the Facility
There is no formal booking area at the facility. Booking is generally conducted in the vehicle and the inmate is generally driven to the Pine Ridge facility.

27. Food Service at the Facility
There is no food service at the facility.

28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.

29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. The facility is fairly dirty and unkempt. At periodic intervals, the public safety officer gathers and hauls all of the trash at the facility.

30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Repairs and maintenance are fairly poor. The facility requires repairs and maintenance but it appears as if the repairs and maintenance staff has not visited the site for several years.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
There is no healthcare assistance in the community. An ambulance service is provided that can transport the inmates to the Pine Ridge Indian Health Services Clinic 16 miles away.

33. Other Support Agencies in the Community
There are no specific support agencies in the community. All support agencies are located in Pine Ridge.

34. General Reasons for Detention
The general reasons for apprehension and detention are the onset of drugs- related violent crime.

35. Potentially Harmful Conditions and behavior of Inmates
Inmates are generally not held at the facility even though cells are provided. However, the cells are in disrepair and it is not expected to have inmates located at the facility for any extended period.

36. Accountability and Reporting of Incidents
Incidents are reported to the Oglalas Sioux Tribal Administration at Pine Ridge and subsequently to the BIA offices in Albuquerque, New Mexico.

DRAFT

Section 3

Facility Review
March 11, 2006

1. Exterior Site Conditions
The exterior site conditions are fairly poor. The facility is located near the local school and serves primarily as a substation for the local police officers who patrol this area. The local site is neither paved nor graveled and as such is fairly dusty during the summers and fairly muddy during winters.

2. Exterior Exercise/Recreation Area
Even though the facility has a provision of two cells for inmates and was meant to be used as a holding facility it is no longer used as such. The facility is used only as a local substation for the police officers serving the local community.

3. Exterior Perimeter Security
The exterior perimeter security is fairly poor. There is no fencing or any cameras that monitor the perimeter of the facility. The front door does have a lock that is capable of locking; however, the side door at the garage entrance cannot be locked and is held in place with a broomstick tied to the doorknob from inside the building, held tight across the door jamb. The facility could be penetrated by lifting up the rollup doors.

4. Sally Port Security
There is no Sally port at the facility.

5. Building Interior Security
There is no interior security at the facility.

6. Building Structure
The building is slab-on-grade block-wall structure.

7. Building Roof
The building has a flat metal deck roof with a cover of tar, rock and gravel. There have been no reported incidents or signs of leakage at the roof.

8. Interior Ceilings
Interior ceilings are in disrepair. These consist of dropped lay-in ceilings in the office areas and hard ceilings in the cell area.

9. Interior Walls
Interior walls are of block-wall construction.

10. Interior Flooring
Interior flooring in the offices and corridors is glued-on tile over concrete and painted concrete in the cell area. The garage area flooring consists of unsealed and unpainted concrete. All of the flooring is in disrepair.

11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.

12. Interior Isolation Cells
There are no interior isolation cells at the facility. However, once the cells are repaired they may be used as an isolation cell. There is no water at the cell locations at this time.

13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.

14. Booking and Intake Area
There is no specific area designated as booking and intake area at the facility.

15. Visitation Area
There is no area designated as the visitation area for the visitors at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.

17. Dining Area
There is no dining area at the facility.

18. Day Room Area
There is no day room area at the facility.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility. There is no first-aid kit at the facility.

21. Toilets and Showers
There are no showers at the facility. There are two toilets, one of which appears to have been plugged up for a very long time. Both toilets are in a state of disrepair.

22. HVAC System
The HVAC system is located on the roof. The HVAC unit on the roof is two years old. The electrical heaters that provide heating to the facility are in disrepair and often break down. These need to be replaced.

23. Plumbing System
The plumbing system is in disrepair and the sanitation sewer drains are plugged up and need to be replaced.

24. Lighting System
The light fixtures are in a state of disrepair. The surface mounted light fixture in the office was accidentally shot-at by one of the officers many years ago. The light fixture has not been replaced at this time.

25. Electrical Power System
The electrical power system appears to be adequate for the size of this facility. A pad mounted transformer serves as the power source. The service entrance panelboard consists of two disconnect switches, a central gutter serving 2-225 amp, 208 Y/120 V, and three-phase four-wire panels which serve the facility through independent circuit breakers. There is no backup generator or battery backed emergency egress lighting.

26. IT System
The existing IT system appears to be adequate for the use of the police officers at this facility. The system consists of two computer stations, two printers and one fax machine that are connected to a communications modem.

27. Security System
There is no security system at the facility. The side door is held shut with a broomstick handle tied of the doorknob.

28. Energy Usage and Conservation
There is no awareness of energy conservation at the facility. The facility needs weatherization to prevent cold drafts through all exterior doors and the window.

29. Fire Egress – Exterior and/or Secured Areas
The facility is fairly small and the path of egress is within a reasonable distance to the exit from the facility.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are no fire alarm, fire sprinkler or fire extinguishers at the facility.

31. Building Access for Staff and Inmates
The staff uses the front entrance and the rollup doors to enter the facility.

32. Hazardous Materials
The facility does not have asbestos or lead paint. However, the facility needs to be environmentally abated for all the spilled fuel oil that has accumulated over the years as the officers have used the site for oil-changes and repairs of automobiles.

33. Handicap Access for Staff and Inmates
There are no handicap access provisions for the use of disabled staff, visitors or inmates at the facility.

34. Potentially Hazardous Elements
Inmates are not held at the facility even though cells are provided. However, the cells are in disrepair and it is not expected to have inmates located at the facility in the future.

DRAFT

Section 1

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

Pine Ridge Reservation[1]
Federal reservation
Oglala Sioux
Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation
P.O. Box 2070
Pine Ridge, SD 57770
605-867-5821
605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres
Total area (Tribal source, 2004) 2,800,000 acres
Tribally owned (BIA realty, 2003) 705,839.58 acres
Tribally owned (Tribal source, 2004) 706,340 acres
Federal trust (BIA realty, 2003) 1,067,877.15 acres
Individually owned (BIA realty, 2003) 1,695.99 acres
Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068
Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741
High school graduate or higher (2000 census) 68.8%
Bachelor's degree or higher (2000 census) 11.1%
Unemployment rate (2000 census) 33%
Per capita income (2000 census) $6,298

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY FACILITIES AND SERVICES

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

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

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

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

Section 2

Program Review
May 12, 2006

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

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

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides for the repair and maintenance of the facility.

3. Policies and Procedures
   There are no policies or procedures for the operations at the facility.

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

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

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

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

7. Space for Inmates On-Site
There were two cells that have been converted into the Central Dispatch Center and the Data Processing Center.

8. Space for Inmates Off-Site
All inmates are sent off-site to Pine Ridge and elsewhere.

9. Staffing Capacity for the Inmates On-Site
There are no detention officers. The facility will not be used for incarceration.

10. Staffing Capacity for Transportation and Escort for Inmates
The facility is still used as a substation for law enforcement. Thus police officers provide for the transportation and escort of the inmates to off-site locations.

11. Office Supplies for Staff
There are insufficient funds through the PL 638 program to procure sufficient office supplies. Additional funds from the communications surcharge levies paid by the cell phone users at the Pine Ridge Reservation are used to provide for office supplies. There are sufficient office supplies for staff at this time.

12. IT Equipment for Office Use
The IT equipment consists of equipment for the police substation, equipment for the central dispatch for 911 services, equipment for law enforcement services, equipment for fire services, equipment for the Indian Health Services, equipment for the EMS services and equipment for the National Park Service. There is sufficient IT equipment for office use.

13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.

14. Personal Supplies for Inmates
Personal supplies for the inmates are not needed at the facility.

15. Uniforms for Staff and Inmates
There is inadequate funding for uniforms for the staff. Uniforms are not needed for the inmates.

16. Linen for Inmates
Blankets and mattresses are not needed for the inmates.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are adequate though old. There is no furniture for the inmates.

18. Transportation Vehicles
The law enforcement officers use their vehicles for transportation of the inmates.

19. Fuel for Vehicles
There is insufficient funding in the PL 638 program for fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding for utilities for the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There are no kitchen, laundry or shower facilities at the facility. However, hot and cold water are sufficient at the sinks and the toilets.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. However, there is insufficient lighting in the high bay areas in what used to be the garage for the fire trucks, and is now being used as the police substation, administration offices for the supervisors and a training facility for law enforcement officers.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs or maintenance at this facility.

24. Deferred Repairs and Maintenance
The facility is in a state of disrepair. The physical building is settling at a rapid rate which is evident from the 4 inch separation of the sidewalk and stress-related cracks at 45° along the exterior block walls. Physical water is seeping up through the block-walls causing a potential for mold in the dispatch center. Because of openings that have been created in the building envelope, there is an infestation of wolf spiders, snakes and mice in addition to the plants such as creeping Jenny's that are growing through the cracks in the hollow block-walls and building separation. There is a fairly strong odor of raw sewage emanating from uncapped sewer lines and possible damage to the sanitation sewer line, at the edge of the building foundation where it has settled. A rusty coffee can serves as the cap for the sewer cleanout. The electrical service is not grounded to the new grounding that was required for the IT equipment and the service disconnect switch has been directly tapped to provide a distribution panelboard for the new equipment. Rainwater gutters have separated from the building anchors causing additional moisture to penetrate through the exterior block wall.

25. Medical Response at the Facility
There is no provision for medical response at the facility.

26. Booking Process at the Facility
There is no formal booking area at the facility and none is required.

27. Food Service at the Facility
There is no food service at the facility. The staff utilizes vending machines and a corner of the high bay storage area as the lunchroom and a food prep area for the staff that is on duty around the clock throughout the year.

28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.

29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. The public safety officer gathers and hauls all the trash at the facility at periodic intervals.

30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Repairs and maintenance are minimal and services are provided when called for. Major repairs and upgrade services are provided by the tribal repair team.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
There is an IHS clinic in the community about 1 mile away from the facility. There is no ambulance service in the community.

33. Other Support Agencies in the Community
There are no specific support agencies in the community. All support agencies are located at Pine Ridge.

34. General Reasons for Detention
Though inmates are not detained at this facility, there are drugs-related violent crimes in the community, which eventually leads to demands for detention at other facilities.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates are not held at this facility.

36. Accountability and Reporting of Incidents
Incidents are reported to the Chief of Police at the Oglalas Sioux Tribal Administration building in Pine Ridge.

Section 3

Facility Review
March 12, 2006

1. Exterior Site Conditions
The exterior site conditions are poor for the functionality within the facility. This is a critical building that serves as the 'Command-and-Control' hub during a local or national emergency for all Life-Safety and Emergency services as well as the primary repository for all critical data at the Pine Ridge Reservation. The building is vulnerable to an intrusion. Additional parking is needed during training sessions and for the extended staff that will be added in the upcoming future.

2. Exterior Exercise/Recreation area
There is no provision for an exercise/recreation area and there is no such need. The chain-link fence topped with barbed wire provides an enclosed space behind the building. The space is not used for any specific purpose but it serves as a visual barrier to keep the general public from having access to the building from the back.

3. Exterior Perimeter Security
The exterior perimeter security is adequate. There is bullet-resistant glass at the only window and the front entrance door is locked and monitored with a camera and an intercom system. There is coverage with cameras all around the perimeter, however, the north and west views are very blurred at the camera monitors in the dispatch center.

4. Sally Port Security
There is no Sally port at the facility.

5. Building Interior Security
There is one camera in the interior corridor at the facility which provides basic coverage but no recording of the individuals who have entered the building.

6. Building Structure
The building is a block-wall structure on a block-wall foundation.

7. Building Roof
The building has a flat metal deck roof with a tar and gravel cover. There have been no reported incidents or signs of leakage at the roof.

8. Interior Ceilings
Interior ceilings are adequate at this time in the dispatch center, data processing center and the front offices. These consist of dropped lay-in ceilings in the office areas and hard ceilings in the dispatch center and the data processing center area. There are no ceilings in the original garage area which is now used as offices, training facility and lunchroom.

9. Interior Walls
Interior walls are of hollow block-wall construction.

10. Interior Flooring
Interior flooring is painted concrete in the garage area and glued on vinyl tile in all other areas.

11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.

12. Interior Isolation Cells
There are no interior isolation cells at the facility.

13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.

14. Booking and Intake Area
There is no specific area designated as booking and intake area at the facility. Such function is conducted in the officer's vehicle.

15. Visitation Area
There is no area designated as the visitation area for the visitors at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.

17. Dining Area
There is no dining area at the facility. A corner of the high bay storage area has been designated as the lunchroom for the staff who serves the facility around-the-clock, around the year.

18. Day Room Area
There is no day room area at the facility.

19. Vocational Training Area
There is no vocational training area at the facility; rather the facility has developed a training center that is used for the training of law enforcement officers.

20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility.

21. Toilets and Showers
There are no showers at the facility. There are two toilets that are in fair condition at this time. However, the doors to the toilet do not close since the door jambs have been skewed by the settling of the building.

22. HVAC System
The HVAC system is located on the roof and the mezzanine of the dispatch and data processing area. Additional cooling is provided by independent refrigerated-cooling units that are located in the dispatch area and two additional condensing units that are located outside the facility. Heating is provided by electric unit heaters and suspended radiant heaters in the high bay storage space that is now being used as the offices, training area and lunchroom. This space is both difficult to heat and cool, as the use has changed over time and the HVAC system has not kept up with the changed use of space. Though some cooling has been added for the additional electronic equipment, heating in the facility is insufficient and is still provided by the original heating system that was installed in 1981.

23. Plumbing System
The plumbing system is in disrepair and the sanitation drains are plugged up and/or damaged/disconnected and need to be replaced appropriately. The facility is served by an independent sewage treatment lagoon about 1000 yards away from the facility.

24. Lighting System
The light fixtures are adequate in the offices, dispatch center and the data processing center. However, they are inadequate in the original high bay storage area.

25. Electrical Power System
The electrical power system appears to be adequate in capacity for the size of this facility. A pad mounted transformer serves the facility through a system of two disconnect switches one of which has been double tapped for the new IT equipment. The building is served by two, 200 amp, 208 Y/120 V, three-phase four wire system and one additional 225 amp panelboard. This electrical system is supported by a standby pad mounted generator which is rated at 25 KW and is fed by propane. There are battery-backed emergency egresses lighting fixtures in the facility.

26. IT System
The existing IT system appears to be adequate for the use of the police officers and the dispatch at this facility.

27. Security System
There is minimal security system at the facility. The interiors are monitored by one camera and the exteriors are monitored by a series of cameras that do not have a very high resolution. The exterior window is fitted with bullet-resistant glass.

28. Energy Usage and Conservation
There is no awareness for energy conservation at the facility. The facility needs weatherization to prevent cold drafts through all exterior doors and rollup doors.

29. Fire Egress – Exterior and/or Secured Areas
The facility is fairly small and the path of egress is within a reasonable distance to the exit from the facility.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system consisting of smoke detectors but the system is not connected to a fire department since there is no fire department in the community. The response time for fire trucks is more than 35 minutes since they are located at Pine Ridge. There is a volunteer fire department in the community whose response may be as long as 30 minutes.

31. Building Access for Staff and Inmates
The staff uses the front entrance which is both locked and monitored by a camera and an intercom system.

32. Hazardous Materials
The facility does not have asbestos or lead paint.

33. Handicap Access for Staff and Inmates
There are no handicap access provisions for the use of disabled staff or visitors during training sessions at the facility.

34. Potentially Hazardous Elements
Inmates are not held at the facility.

Section 1

Background Information
of the
Rosebud Reservation

Served by the Rosebud Detention Center

Rosebud Reservation[1]
Federal reservation
Sioux
Todd County, South Dakota

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

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

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

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

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

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

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

CLIMATE

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

GOVERNMENT

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

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

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

INFRASTRUCTURE

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

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

COMMUNITY FACILITIES AND SERVICES

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

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

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

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

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

Section 2

Program Review
May 19, 2006

1. Funding of Operations
   The operations part of the program is 100% funded by PL-638 from the BIA. This year, the total amounted to $1,600,000, which included funding for both operations for the detention, as well as operations for the police and dispatch. However, for this year, only as a special consideration, the tribe contributed $800,000 towards the operations of the detention facility. This additional funding resulted from funding left over from the juvenile facility.

2. Funding of Repairs and Maintenance of Facility Structure
   Separate funding from the BIA provides for the repairs and maintenance of the facility. This averages about $300,000 annually.

3. Policies and Procedures
   The facility uses the tribal policies and procedures that have been written in a BIA format, which includes the BIA table of contents. The tribal policies and procedures include a few cultural items but they are not implemented due to lack of space and personnel. On the day of the visit a search was conducted to locate these policies and procedures. However, neither the tribal nor the BIA policies and procedures could be located at the facility even though a sincere attempt was made to find them.
   The detention officer indicated that they generally train on a one-to-one basis from each other.

4. Staffing
   There are five full-time detention officers, four of whom are certified. In addition a full-time cook assists with cooking. There are three additional individuals in the Police Department who assist with the full-time administration. These include the Chief of Police, Captain and a Business Manager/Administrator.
   The detention officers work in 8-hour shifts, unless absolutely necessary, when they switch to 12-hour shifts. Generally there are two detention officers on duty on most days, unless one officer has a day off. There is only one detention officer on duty generally about 30% of the time.

5. Programs
   The facility participates in a community work program where the courts allow inmates with minor offenses to work-off their prison time by providing cleanup services in the community. The facility provides a trustee program.

6. Staff Training
Once out of the Academy, the officers are not trained in policies and procedures due to lack of time and personnel. They would rather participate in hands-on training on a one-on-one basis. There are only two officers who have more than two years of experience as detention officers at this facility. Other training is made available to the officers, such as: training regarding sexual-harassment, training regarding OC (pepper spray), intoxilyzer training and supervisor training.

7. Space for Inmates On-Site
There is a shortage of space at this 67-bed facility. The inmate population peaked at 103 on January 1, 2006, 98 on January 1, 2005, 102 on January 1, 2004 and 101 on January 1003. The number of inmates exceeds the capacity throughout summer months. Various attempts are made by the judges to alleviate the lack of capacity. Once such method is to give a 'suspended bond' in lieu of incarceration. No inmates are sent off-site. However, inmates from the State also use the facility if there is an opening. The tribe is presently considering methods to have federal inmates incarcerated locally for the sake of cultural and family ties and considerations.

8. Space for Inmates Off-Site
Inmates are not sent off-site.

9. Staffing Capacity for the Inmates On-Site
The facility is understaffed for the number of inmates that are incarcerated at any given time.

10. Staffing Capacity for Transportation and Escort for Inmates
Detention officers transport and escort the inmates unless there is only one detention officer on duty, at which time they seek assistance from the police officers.

11. Office Supplies for Staff
The detention officers use their personal funds to purchase small items such as envelopes, pens, markers and writing paper. They are not reimbursed for such purchases. The detention officers also 'borrow' office supplies from the patrol officers. Since there is no printer for use by the detention officers, the officers are using the patrol officers' printer located in a different part of the building.

12. IT Equipment for Office Use
The detention officers have one computer station at this time. There is a need for two additional computer stations.

13. IT Equipment for Communications Use
There is no additional IT equipment such as panic transmitters for the officers, so they have borrowed two, two-way radios, to serve as emergency transmitters, from the patrol officers.

14. Personal Supplies for Inmates
Until very recently, there were no funds to procure personal supplies for the inmates.

15. Uniforms for Staff and Inmates
Until very recently, there were no funds to procure uniforms for the staff or inmates.

16. Linen for Inmates
They are sufficient blankets for the inmates.

17. Furniture and Fixtures for Staff and Inmates
The staff needs furniture and fixtures for two additional computer stations. However, since the detention officers are using a part of the booking space, there is not enough space to locate two additional stations. Additional seating is required for the 'common space' used by the inmates for dining.

18. Transportation Vehicles
There are no transportation vehicles at this facility. Officers borrow patrol cars to transport inmates. The facility needs a transportation van to transport up to six inmates.

19. Fuel for Vehicles
Since the facility does not have a vehicle, the fuel for detention vehicles is not applicable.

20. Utilities for Facility
Utilities are paid for directly by the BIA.

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
Lighting for the staff areas is sufficient. The inmates complain about excessive light at night. There are no night-lights in the cells.

23. Ongoing Repairs and Maintenance
The BIA facility staff is working on repairing leaks at sinks, and the push buttons for the sink- lavatory combination units.

24. Deferred Repairs and Maintenance

1. The security mesh needs to be anchored above the suspended ceiling in the dining room. Over a quarter of the total material is already in place.
2. Continuous new leaks in the roof develop. Last season, 13 separate leaks were patched. The roof needs to be replaced. The present roof is the original flat roof with a shallow pitch.
3. The facility needs a complete interior and exterior security camera surveillance system. This includes controlled-movement cameras and high-resolution recording cameras at the booking station.
4. The facility needs compliance with ADA regulations.
5. The facility needs a complete intercommunication system.
6. The facility needs a complete clean-out of the exhaust system from the laundry room. This includes cleaning out the lint that has accumulated over the suspended ceiling and through the exhaust ducts.
7. Approximately 8 glass blocks need to be replaced in the interconnecting glass block wall between the detention facility and the tribal court building.
8. The chain-link fence and the chain-link fence gates enclosing the back of the building need to be refurbished and secured. The gates need to be cleared from the vegetation and buildup over the years, so they can be closed.
9. The steel stairwell leading to the mezzanine that houses the building, mechanical and standby electrical system, needs to be re-anchored structurally to the building wall. Several nuts have loosened from the building bolts that anchored the stairwell.

25. Medical Response at the Facility

The facility has the capability of providing basic first aid and CPR. An ambulance is available within about two minutes. The hospital is about half a mile away.

26. Booking Process at the Facility

Booking is conducted across the counter top, in the same space that is also used as the office of the detention officer. There are no barriers between the inmate and the detention officer. The camera does not have recording capability and the monitor does not work. The computer at the booking station uses CISCO software for booking. However, when the detention officer is using the computer, her back is turned towards the inmate countertop leading from the Sally port. The restraining chair is stored in the cleaning-supplies room at a distant location from the booking area.

The procedure is for the arresting officer to stay with the inmate during the booking and escort him up to the cell. During our observation of a booking process, we noted that the inmate was not searched and was escorted to the cell in street clothes. We noticed that the male inmate could not be searched by the female detention officer on duty at the time

of the booking. When questioned, we were advised that the inmate will take a shower and change his clothes the next day.

27. Food Service at the Facility
There is a kitchen at the facility. The kitchen appears to be well-equipped.

28. Kitchen and Dining staff at the Facility
A certified cook provides three meals a day, five days a week. On occasion, the cook works overtime hours. During the remaining two days an inmate trustee provides the cooking with the oversight of a detention officer. The lead detention officer helps out with the cooking as well.

29. Housekeeping Staff at the Facility
Inmates provide cleaning for their own cells. The inmate trustees provide the cleaning for common corridors, restrooms, kitchen and laundry. Officers clean the remaining areas that are off-limits to the inmates.

30. Repairs and Maintenance Staff at the Facility
Repairs and maintenance are provided by the BIA staff who share the responsibility with several other buildings. Response time is acceptable for small items. However, the response is generally poor for larger items and repair items have not been attended to for up to a year.

31. Inmate Services Provided at the Facility
There is no routine healthcare checkup. There is no testing for TB, HIV or hepatitis. The Alcoholics Anonymous services and the Talking Circle services were stopped for lack of participation by the volunteers.
Alcohol and drug assessment is provided to the inmates at the facility.
Detention officers are waiting for training for working with methamphetamine users.
Courts do allow the temporary release of inmates to allow for their daily commute to college, when requested.

32. Healthcare Assistance in the Community
The Indian Health Service (IHS) provides healthcare assistance in the community. It is located about five minutes away.

33. Other Support Agencies in the Community
There is an alcohol treatment program available in the community.

34. General Reasons for Detention
Street gangs are on the rise at the reservation. This has corresponded with increased use and availability of drugs at the reservation. Generally, drug use includes methamphetamine, marijuana and cocaine. There were six to seven large 'drug busts' at the reservation over the past year. It is well known that there are several more drug labs in the community. But they have not been apprehended yet. The violent crime rate is 887 per 100,000

inhabitants. The property crime rate and all other crime rates are 2573 and 80,389 per 100,000 inhabitants respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates who are suspected of suicidal tendencies are provided with mental health assessment. Inmates have attempted suicide using blankets tied to the upper bunk or breaking light fixtures and using shards to cut themselves. Inmates have also attempted to use plastic cups to cut themselves.

36. Accountability and Reporting of Incidents
Generally all incident reports are sent once a month to the supervisor Greta Baker. Very serious incident reports are sent immediately to Greta Baker.

DRAFT

Section 3

Facility Review
May 19, 2006

1. Exterior Site Conditions
The exterior site conditions for this facility are extremely poor. The facility is accessible all around directly by the general public. Exterior brick wall indicates settling and exhibits cracks in several areas. The fascia at the entrance is peeling and in disrepair. There is a block-wall 'secure' vestibule which provides a passageway from the detention facility to the tribal court building. Several glass blocks have been shot at and others broken as a result of damage from impact by projectiles.

2. Exterior Exercise/Recreation Area
The exterior exercise and recreation area is small and incapable of holding all of the inmates in case of an emergency. This area is very insecure. Three strands of barbed wire are placed above the 9-foot perimeter brick fence. The area has a wrought-iron gate with horizontal crossbars that could form a stair-step for an easy walk over the barbed wire strands above the gate and through the open gates at the perimeter fence. The adjacent area is accessible to the general public who could toss over contraband items into this area. While there is a surveillance camera for the area, it cannot be monitored at the detention officer's station or at the dispatch since the monitors for the surveillance cameras do not function.

3. Exterior Perimeter Security
The exterior perimeter security is very poor. Besides the exercise and recreation area that is mentioned above, a chain-link fence surrounds the back portion of the building. This fence has permanent openings. The chain-link gate is in a permanent open position anchored with vegetation that has grown over the years. While the chain-link fence has three strands of barbed wire above it, one end of the chain-link fence is not anchored to the building and offers a permanent opening even if the chain-link gate was closed and secure.
The long connecting corridor of non-secure glazing is accessible from the parking lot and allows easy penetration and access into the building.

4. Sally Port Security
The Sally port is used as a drive-in garage. It is not secured in any way. The rollup gates are permanently open with access to the perimeter chain-link fence that has no secure gate and has additional openings in it.

5. Building Interior Security
There are six interior surveillance cameras in the building; however, they are meaningless, since they cannot be monitored at the nonfunctioning monitors at the detention officer's station and at the dispatch. All doors use the keyed-lock system except the entrance from the police to the detention facility, which uses an electronic keypad.

6. Building Structure
The building exteriors are brick walls with slab-on-grade floor. The interior walls are painted block-walls. The structure is settling noticeably as is evidenced by cracks resulting from the weight of the structure and disproportionate settlement of the underlying soil.

7. Building Roof
The building has a shallow-pitched tar roof though it is generally flat. The roof rises to a shallow pitch at the center of the building creating a parapet of 18 inches on the front and back perimeter of the building.

8. Interior Ceilings
Suspended ceilings are provided in the kitchen, pantry, dining area, offices and day room. Hard concrete panels 18 inches wide are provided in the cells and corridors.

9. Interior Walls
Interior consists of block walls.

10. Interior Flooring
The interior flooring generally consists of vinyl tile glued over concrete in the offices, corridors, kitchen, pantry and other areas of common use. The cell areas consist of painted concrete.

11. Interior Dormitory Cells
The interior of the dormitory-style cells houses up to six bunks in the cell. There is a common area that encloses up to three dormitory cells. This area is presently used as a day room or as in the case of the female cells as storage for mattresses.
Generally, all cells were extremely dirty and in disrepair.

12. Interior Isolation Cells
All of the interior isolation cells are dirty and unkempt. A camera is provided at the ceiling, which is of little use since the monitors for the camera do not function at the detention officer's station.

13. Interior Detoxification Cells
The interior walls of the detoxification cells were resurfaced to remove flammable services. Those cells are not in use anymore since an appropriate resurfacing could not be implemented. They now serve as storage areas. However, the new surfaces where implemented are hard,

which are prone to injuries that may be suffered by intoxicated individuals.

14. Booking and Intake Area
The booking and intake area opens from the Sally port and leads into the hallway leading to the cells. This area is presently used both as the booking space, and as the detention officer's workstation. Neither of the two functions is appropriate for the present configuration of this area. This area needs to be reconfigured for just the booking function, since it was designed to create access for the inmates through the Sally port.

15. Visitation Area
The visitation area provides a barrier between the inmate and the visitor. However, there are no cameras or an intercom system that can monitor the process during the visitation.

16. Kitchen, Food Preparation and Pantry Area
The kitchen is well equipped and clean. The pantry is well equipped and clean. Trustees work in the kitchen during the absence of the cook, two days a week. The kitchen and pantry have suspended ceilings, and even though the ceiling is surfaced with a washable coating, it serves as an escape route.

17. Dining Area
The dining area is spacious and sufficient to feed the number of inmates in more than one dining shift. This area also serves as a day room and has a television set for the inmates. However, the space also serves as an escape route because of the suspended ceiling. The work order is in place to provide a security mesh above the ceiling.

18. Day Room Area
There is no specific day room in the facility. However, the dining space and one of the dormitory common spaces are used as day rooms by the inmates. Each of these spaces has a television set that is used by the inmates. There are no cameras to monitor the activities of the inmates in these day rooms. The furniture takes a heavy beating. The furniture in each of these day rooms is not the institutional type and is in disrepair and needs to be replaced.

19. Vocational Training Area
There is no specific area in the facility that could be used for vocational training.

20. First Aid and Medical Assistance Area
There is no specific space to administer first aid and medical assistance. A first-aid kit is available.

21. Toilets and Showers
The toilets and shower areas were renovated relatively recently and appeared to be in good shape. Both males and females are scheduled to use the same facilities at a predetermined schedule.

22. HVAC System
The controls for the HVAC system do not function. The cell block area does not have sufficient ventilation and appropriate heating and cooling. Heating is provided through two boilers that utilize fuel oil. The boilers have been maintained and are in good repair. The cooling is provided through the refrigerated cooling system using two air handling units one of which serves the cell block area and the other serves the remaining administrative, dispatch and the police area. These units are also in good repair.

23. Plumbing System
The plumbing system is in good repair. There are no reported backups or sewage leaks. The entire sanitation drain lines were replaced about two years ago.

24. Lighting System
Lighting in general is adequate for the use of inmates and staff. Inmates complained of excessive lighting during the night. There are no night-lights.

25. Electrical Power System
The electrical power system consists of an 800 amp, 208 Y/120 volt, three-phase, four-wire service. A 75 KW backup generator serves the facility. Each of the two HVAC chillers draws 127 amps, 208Y/120 volts at three-phase. The electrical system capacity is sufficient for the building.

26. IT System
The IT system for the detention workstation consists of one computer, CISCO software and four borrowed intercom radios.
There is a need for an additional computer station, and a reconfiguration of the detention officer's workstation.

27. Building Security System
The security system consists of keyed locked doors throughout the facility. The surveillance camera system is inadequate and does not serve any function at this time. The recreation yard is insecure. The fenced area around the Sally port is insecure.

28. Energy Usage and Conservation
There is little regard for monitoring energy usage and the conservation of energy. A fiberglass insulation held by chicken wire serves as ceiling insulation at the mezzanine level, mechanical room.

29. Fire Egress – Exterior and/or Secured Areas
The fire escape plan noted at the facility provides direction for evacuation to the Sally port. However, the Sally port is insufficient and adjacent to the building, to effect appropriate evacuation in case of an emergency. The recreation yard is too small, insecure and adjacent to the building as well, to serve as appropriate location for evacuation. There is no secure space to evacuate the building in case of an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system, appropriate fire extinguishers and a sprinkler system that serves the building. Sprinkler heads are located in individual cells.

31. Building Access for Staff and Inmates
Staff accesses the building from the front door, while the inmates are escorted from the Sally port.

32. Hazardous Materials
The building was built during 1983 and completed in March of 1984. No asbestos lead paint or other hazardous material was reported. Flammable material that lined the detoxification cells has been removed.

33. Handicap Access for Staff and Inmates
There are no provisions at this facility for access by disabled staff, visitors or inmates.

34. Potentially Hazardous Elements
Individual cells are furnished with the air vents. The screens on these air vents can serve as a potential location for tying articles of clothing to commit suicide.

Section 1

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

Pine Ridge Reservation[1]
Federal reservation
Oglala Sioux
Washabaugh-Jackson, Custer, Fall River, and Bennett counties, South Dakota

Pine Ridge Reservation
P.O. Box 2070
Pine Ridge, SD 57770
605-867-5821
605-867-1449 Fax

Total area (BIA realty, 2003) 1,775,412.72 acres
Total area (Tribal source, 2004) 2,800,000 acres
Tribally owned (BIA realty, 2003) 705,839.58 acres
Tribally owned (Tribal source, 2004) 706,340 acres
Federal trust (BIA realty, 2003) 1,067,877.15 acres
Individually owned (BIA realty, 2003) 1,695.99 acres
Allotted lands (Tribal source, 2004) 1,064,840 acres

Population (2000 census) 14,068
Tribal enrollment (Tribal source, 2004) 17,775

Total labor force (2000 census) 4,741
High school graduate or higher (2000 census) 68.8%
Bachelor's degree or higher (2000 census) 11.1%
Unemployment rate (2000 census) 33%
Per capita income (2000 census) $6,298

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY FACILITIES AND SERVICES

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

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

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

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

Section 2

Program Review
May 12, 2006

This facility was built in 1981 with the intent of use as a holding facility and a substation for the use by law enforcement, housing the police, fire and emergency services for the community. There are two cells that have fallen into disrepair since the facility is not used for incarceration anymore. The facility is still in use as a law enforcement substation that provides services to the local community.

1. Funding of Operations
   The facility is owned by the BIA. The tribe provides for the operations of the building. Other details are not known.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides for the repair and maintenance of the facility.

3. Policies and Procedures
   There are no policies or procedures for the operations at the facility.

4. Staffing
   There are two police officers who use the facility. There are no detention officers.

5. Programs
   Since there are no inmates, there are no programs for the benefit of inmates at this facility.

6. Staff Training
   The staff who uses the facility consists of two certified police officers.

7. Space for Inmates On-Site
   There are two cells that lack any beds. The cells have fallen into disrepair over time and are now used as storage and work areas.

8. Space for Inmates Off-Site
   All inmates are sent off site to the Pine Ridge facility.

9. Staffing Capacity for the Inmates On-Site
   There are no detention officers. The facility will not be used for incarceration.

10. Staffing Capacity for Transportation and Escort for Inmates
The police officers provide for the transportation and escort of the inmates to off-site locations.

11. Office Supplies for Staff
There are sufficient office supplies for staff.

12. IT Equipment for Office Use
There is sufficient IT Equipment for office use.

13. IT Equipment for Communications Use
There is sufficient IT equipment for communications.

14. Personal Supplies for Inmates
Personal supplies for the inmates are not needed at the facility.

15. Uniforms for Staff and Inmates
There are adequate uniforms for the staff. Uniforms are not needed for the inmates.

16. Linen for Inmates
Blankets and mattresses are not needed for the inmates.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are adequate though in very poor condition. There is no furniture in the cells for the inmates.

18. Transportation Vehicles
The law enforcement officers use their vehicles for transportation of the inmates.

19. Fuel for Vehicles
There is sufficient fuel for vehicles.

20. Utilities for Facility
There is sufficient funding for utilities for the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is no kitchen, laundry or showers at the facility.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff areas. Lighting in the cells is insufficient.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs or maintenance at this facility.

24. Deferred Repairs and Maintenance
The facility is in a state of disrepair. The facility is used in an inappropriate manner. The clear space for the storage and parking of fire trucks and other emergency vehicles is being used as a storage garage for miscellaneous vehicles, storage for construction material, carwash and an oil changing station for the law enforcement vehicles.

25. Medical Response at the Facility
There is no provision for medical response at the facility.

26. Booking Process at the Facility
There is no formal booking area at the facility.

27. Food Service at the Facility
There is no food service at the facility.

28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.

29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility. The facility is fairly dirty and unkempt. The public safety officer gathers and hauls all the trash from the facility at periodic intervals. However, the public safety officer reported that he visited the site about one year ago and cleaned it up with the help of his office staff.

30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Repairs and maintenance are fairly poor. The facility requires repairs and maintenance for it appears as if the repairs and maintenance staff has not visited the site for several years.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
There is no healthcare assistance in the community.

33. Other Support Agencies in the Community
There are no specific support agencies in the community. All support agencies are located in Pine Ridge.

34. General Reasons for Detention
The general reasons for apprehension and detention are violent crime in the community.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates are not held at the facility even though two cells are provided. However, the cells are in disrepair and the facility is not expected to have inmates housed at this location.

36. Accountability and Reporting of Incidents
Incidents are reported to the Oglala Sioux Tribal Administration.

DRAFT

Section 3

Facility Review
March 12, 2006

1. Exterior Site Conditions
   The exterior site conditions are fairly poor. The facility serves primarily as a substation for the local police officers who patrol this area. The local site is accessible to the general public from all sides.

2. Exterior Exercise/Recreation Area
   Even though the facility has a provision of two cells for inmates and was meant to be used as a holding facility it is no longer used as one. The facility is used only as a local substation for the police officers serving the local community.

3. Exterior Perimeter Security
   The exterior perimeter security is fairly poor. An insecure chain-link fence topped with barbed wire and held by the lodgepole pines remains of what used to be an exercise/recreation area for the inmates. There are no cameras that monitor the perimeter of the facility. The front door does have a lock that is capable of locking; however, the side door at the garage entrance cannot be locked and tumbler for the lock is missing. The facility could be penetrated by lifting up the rollup doors. An unfinished partitioning door has been installed to prevent any intrusion from the storage/garage area into the officer's office area.

4. Sally Port Security
   There is no Sally port at the facility.

5. Building Interior Security
   There is no interior security at the facility.

6. Building Structure
   The building is slab-on-grade, block-wall structure.

7. Building Roof
   The building has a flat metal deck roof with a tar and gravel cover. There have been no reported incidents or signs of leakage at the roof.

8. Interior Ceilings
   Interior ceilings are in disrepair. These consist of dropped lay-in ceilings in the office areas and hard ceilings in the cell area. Ceiling tiles are stained, torn or missing.

9. Interior Walls
Interior walls are of block-wall construction.

10. Interior Flooring
Interior flooring is glued-on tile in the office and corridors, painted concrete in the cell area and unfinished concrete in the storage/garage area. All of the flooring is in disrepair.

11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.

12. Interior Isolation Cells
There are no interior isolation cells at the facility.

13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.

14. Booking and Intake Area
There is no specific area designated as booking and intake area at the facility.

15. Visitation Area
There is no area designated as the visitation area at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.

17. Dining Area
There is no dining area at the facility.

18. Day Room Area
There is no day room area at the facility.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility. There is no first-aid kit at the facility.

21. Toilets and Showers
There are no showers at the facility. There are two toilets, one of which appears to have been plugged up for some time. Both toilets are in a state of disrepair.

DRAFT

22. HVAC System
The HVAC system is located on the roof and on the mezzanine above the cell area. There no reported deficiencies for the HVAC system.

23. Plumbing System
The plumbing system is in disrepair and the sanitation drains are plugged up and need to be replaced.

24. Lighting System
The light fixtures are in a state of disrepair. Lighting is fairly poor in what used to be the cell areas.

25. Electrical Power System
The electrical power system appears to be adequate for the size of this facility.

26. IT System
The existing IT system appears to be adequate for the use of the police officers at this facility.

27. Security System
There is no security system at the facility. The side door is pulled shut and cannot be locked.

28. Energy Usage and Conservation
There is no awareness of energy conservation at the facility. The facility needs weatherization to prevent cold drafts through all exterior doors and windows.

29. Fire Egress – Exterior and/or Secured Areas
The facility is fairly small and the path of egress is within a reasonable distance to the exit from the facility.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is no fire alarm, fire sprinklers or fire extinguishers at the facility.

31. Building Access for Staff and Inmates
The staff uses the rollup doors to enter the facility.

32. Hazardous Materials
The facility does not have asbestos or lead paint. However, the facility needs to be environmentally abated for all the spilled fuel oil that has accumulated and drained through the interior wash drains over the years as the officers have used the site for oil-changes and repairs of automobiles.

DRAFT

33. Handicap Access for Staff and Inmates
There are no handicap access provisions for the use of disabled staff, visitors or inmates at the facility.

34. Potentially Hazardous Elements
Inmates are not held at the facility even though two cells are provided. However, the cells are in disrepair and the facility is not expected to have inmates located at this site any time in the near future.

DRAFT

Section 1

Background Information
of the
Fort Berthold Reservation
Served by the White Shield Law Enforcement Center

Fort Berthold Reservation[1]
Federal reservation
Mandan, Hidatsa, and Arikara
Dunn, McLean, McKenzie, Mountrail, Ward, and Mercer counties, North Dakota

Three Affiliated Tribes Business Council
404 Frontage Road
P.O. Box 220
Tribal Administration Building
New Town, ND 58763
701-627-4781
701-627-3626 Fax
Website: mhanation.com

Total area (Tribal source, 2004) 922,750 acres
Federal trust lands (Tribal source, 2004) 422,750 acres
Fee lands (Tribal source, 2004) 500,000 acres
Tribally owned lands (Tribal source, 2004) 83,800 acres

Population (2000 census) 5,915
Tribal enrollment (BIA labor report, 2001) 10,789
Tribal enrollment (BIA labor report, 2001) 10,400

Total labor force (BIA labor report, 2001) 4,240
Unemployment rate (BIA labor report, 2001) 71%
Per capita income (2000 census) $10,291

LOCATION AND LAND STATUS
The Three Affiliated Tribes Fort Berthold Reservation is located in west-central North Dakota, southwest of Minot and 2.5 hours northwest of Bismarck. While there are Indian families living throughout the reservation, the majority live in the communities of Mandaree, White Shield, Twin Buttes, Four Bears, and the incorporated towns of Parshall and New Town, the latter being location of the tribal headquarters.

[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.

The Fort Berthold Reservation boundaries were established by mutual consent at Fort Laramie, Wyoming, in the Fort Laramie Treaty of 1851. Congressional acts and executive orders gradually reduced the reservation to its present size from the initial 12.5 million acres. In 1972, a federal court ruling determined that land lost to homesteaders through the 1910 Homestead Act had, in fact, always been part of the reservation and that, therefore, boundaries had not been diminished or changed by that act.

Some land located north of New Town was donated to (and a portion was purchased by) the tribes. Called the Northern Lights Addition, the lands have been used for construction of the new North Segment Community Building, a new food distribution center, and Head Start administration and classrooms. The tribal Dreamcatchers Housing Program constructed housing, and some acreage will be used for construction of a detention center. Additional purchases are planned for construction of a clean fuels refinery in new Makoti, North Dakota. These lands, and those on which the Figure 4 Ranch were built, are all pending federal trust status.

PHYSICAL DESCRIPTION
The reservation has both flat prairie land and rolling terrain, intersected by the Missouri River. About 11 percent, or 156,000 acres, of the total surface area is covered by Lake Sakakawea, the reservoir formed behind the Garrison Dam on the Missouri River.

CLIMATE
The elevation at New Town, North Dakota, the location of tribal headquarters, is 1,879 feet above sea level. It is a cold, continental climate, dominated by the Arctic jet stream, with a year-round average daily high temperature of only 54°F. The year-round average daily low temperature is 30°F. The area receives approximately 16 inches of precipitation annually, with winter blizzards and summertime thundershowers, although it is a semiarid environment, overall.

GOVERNMENT
The Three Affiliated Tribes are organized through the Indian Reorganization Act of 1934, with a constitution and bylaws, as amended. The tribal government is legally entitled to the Three Affiliated Tribes Business Council, a body consisting of a chairman, a vice-chairman, a treasurer, a secretary, and three at-large members. Business council members are elected to four-year terms by the general membership.

The tribe, under PL-638, contracts with the BIA to administer key programs and services. They operate the Dreamcatchers Housing Program, which manages 786 low-rent HUD units and mutual self-help housing, along with a 36-unit apartment building in Four Bears Drags Wolf Village. There were housing units under construction in 2005. In addition to tribal administration, other services provided include aging, community health, commodity food distribution, criminal investigation, alcohol, cultural preservation, Boys and Girls Clubs, 477/JTPA, Johnson O'Malley, vocational rehabilitation, Healthy Start, and an education department consisting of early childhood, exceptional education, Head Start, and a higher education grant program. The following departments or programs also provide services to tribal members: human, enrollment, finance, MHA daycare, natural resources (emergency management, environmental, injury prevention, solid waste and sanitation, fire

management, fish and wildlife, animal control, rural water development, GIS, realty), small loans, tribal planning and development, property and procurement, roads, social (child welfare, general assistance, in-home and parent aide, fuel assistance), WIC, transportation, tax, veterans, and a plethora of tribal health services. The tribes have their own tribal law enforcement and operate tribal courts, including a juvenile court. Tribal courts consist of a judge, a judge magistrate, two to three other judges that work part-time in off-reservation locations, a court administrator, a juvenile officer, a public defender, and two or three other support staff.

BUSINESS CORPORATION
The Fort Berthold Reservation Planning Committee guides tribal economic development initiatives.

INFRASTRUCTURE
Interstate 94 runs east-west and is accessible either through Dickinson, 70 miles south, or in Bismarck-Mandan, 2.5 hours southeast. U.S. Highway 83 runs north-south approximately 60 miles east of New Town. U.S. Highway 85 runs north-south, 4 miles west of New Town. State Highways 22, 23, and 37 make up for most of the paved roads on the reservation. The Missouri River can only be crossed at Four Bear Bridge, located just west of New Town, creating a transportation barrier to many parts of the reservation. The tribes plan to construct additional roads and hiking paths and bike trails.

Electricity – Three rural electric cooperatives and two private companies provide electricity to the reservation.

Fuel – Montana-Dakota Utilities provides natural gas to the surrounding area but not yet onto the reservation. Several propane companies provide service to the region.

Water Supply – The Fort Berthold Rural Water Department is run by the tribes. This department pumps water from the lake into the six water plants they have created in each of the six segments. They also hire and train the water operators that run this system. Pipe will be laid to Fort Bear and White Shield homes in 2005. The rest of the segments will have pipe laid when more money becomes available for the project. Approximately 30 percent of tribal members rely on privately owned water wells for drinking water; 70 percent have access to a city-supplied system. Shallow groundwater is scarce and of poor quality in most parts of the reservation. Surface waters are also limited in the semiarid environment. Underlying aquifers have high saline and mineral content. Approximately 30 percent of tribal members rely on privately owned water wells for drinking water; 70 percent have access to a city-supplied system.

Transportation – Commercial air service is available at Minot (about 68 miles away) and at Bismarck (160 miles distant). Smaller, general aviation airports are located in nearby New Town (with a 3,000-foot runway) and Parshall, located 17 miles east. Amtrak and bus lines serve Minot, while commercial freight lines serve the reservation directly.

Telecommunications – Telephone service is provided by the Reservation Telephone Cooperative in Parshall, a non-Indian cooperative assisted by AT&T and Qwest, by the Consolidated Cooperative Telephone Services in Dickinson, and by West River Telephone

in Hazen. Internet services, including high-speed subscriber lines, are available throughout the reservation.

COMMUNITY FACILITIES AND SERVICES

Community facilities in the Four Bears area include a tribal administration building, an Indian Health Services Clinic and Dialysis Unit, KMHA radio station, MHA Times Office, MHA Day Care, 4 Bears Casino, C-Store, the bait shop, the lodge, the marina, and the Four Bears Museum. Social services are housed in a modular building retrieved from property formerly used as a radar installation. There are a total of six community centers on reservation lands, many of them with ball fields and/or a gymnasium with public access. There are also three senior centers.

Education – The reservation maintains five public school districts, and Fort Berthold Community College provides higher education opportunities for tribal members and others. The tribes operate a Head Start program. They also operate a unique drug and alcohol prevention and education program called "Unity Riders," a tribal nonprofit organization that the tribal council created in 1996. The program utilizes riding therapy, capitalizing on the traditional Plains horse culture of the people.

Health Care – Health care is provided by the Mandaree Clinic, the Minne-Tohe Health Facility, the Parshall Clinic, the Twin Buttes Clinic and the White Shield Clinic. There are community health representatives in six locations throughout the reservation, and the tribes coordinate the provision of health services via a Comprehensive Health Planning Office. Alcohol programs, the WIC nutritional program, and dialysis care are also available to tribal members.

DRAFT

Section 2

Program Review
May 18, 2006

The White Shield Law Enforcement Center was added on in 1965 as an extension to an existing BIA facility that was built in the 1920s as a teacher's residence for the White Shield School across the street. The teacher's residence served as the BIA Land Management office until it was abandoned by the BIA in 1982. The Land Management office also used a standalone three-car garage adjacent to its offices. The garage structure is still used by law enforcement to hold evidence. The White Shield Law Enforcement Center serves as a short-term holding facility and a law enforcement substation serving the community of White Shield.

1. Funding of Operations
   The facility is owned and operated by the BIA. Other details are not known.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides for the repair and maintenance of the facility.

3. Policies and Procedures
   There are no policies or procedures for the operations at the facility.

4. Staffing
   There is one part-time law enforcement officer who uses the facility. There are no detention officers serving the facility. The facility is used for detention, especially during the first weekend of July during the festival time. On occasion the facility may be used to house a student from the elementary school across the street, who may have been arrested for possession of drugs. At other times the facility serves as a substation for law enforcement over an area that encompasses about 625 square miles extending about 25 miles in each direction. The site is located at about a 3-hour drive from the Canadian border.

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

6. Staff Training
   Staff at this facility consists of one part time, certified police officer.

7. Space for Inmates On-Site
   There are three cells that lack any beds. Mattresses are laid down on the floor. The cells do not have any functioning toilets and have fallen into disrepair. Inmates are not housed overnight at this facility.

8. Space for Inmates Off-Site
All inmates are sent off site to the new facility at New Town about 60 miles away.

9. Staffing Capacity for the Inmates On-Site
There are no detention officers. The facility will not be used for extended incarceration.

10. Staffing Capacity for Transportation and Escort for Inmates
The police officer provides for the transportation and escort of the inmates to off-site locations.

11. Office Supplies for Staff
There are sufficient office supplies for staff.

12. IT Equipment for Office Use
There is sufficient IT equipment for office use.

13. IT Equipment for Communications Use
There is no IT equipment for communications and none is needed.

14. Personal Supplies for Inmates
Personal supplies for the inmates are sufficient at the facility.

15. Uniforms for Staff and Inmates
There are adequate uniforms for the staff. Uniforms are not needed for the inmates.

16. Linen for Inmates
Mattresses are sufficient at the facility. However, there are no blankets that may be used by the inmates.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff is about 40 years old but adequate. There is no furniture for the inmates.

18. Transportation Vehicles
The law enforcement officers use their vehicles for transportation of inmates.

19. Fuel for Vehicles
There is sufficient fuel for vehicles.

20. Utilities for Facility
There is sufficient funding for utilities for the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is no kitchen, laundry or showers at the facility.

22. Adequate Lighting for Inmate and staff Areas
There is adequate lighting for the staff areas. Lighting in the cells is insufficient.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs or maintenance at this facility.

24. Deferred Repairs and Maintenance
The substation facility is in a state of disrepair. However, the adjacent BIA's Land Management facility which was abandoned in 1982 and built in the 1920s is in a state of severe disrepair and is a life-safety hazard detrimental to the community. The abandoned underground fuel oil tank, asbestos and lead paint in the ceiling and asbestos in the floor tiles and public access from the constantly open front door are hazardous. The structure itself and the adjacent three-car garage may collapse in a severe wind storm.

25. Medical Response at the Facility
There is no provision for medical response at the facility.

26. Booking Process at the Facility
There is no formal booking area at the facility. Booking is conducted in the office area.

27. Food Service at the Facility
There is no food service at the facility.

28. Kitchen and Dining Staff at the Facility
There is no kitchen or a dining staff at the facility.

29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility.

30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Repairs and maintenance are fairly poor. It appears as if the repairs and maintenance staff have not visited the site for several years.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
There is no healthcare assistance in the community.

33. Other Support Agencies in the Community
There are no specific support agencies in the community.

34. General Reasons for Detention
The general reasons for apprehension and detention are violent crime resulting from drugs traffic from across the border. Drug trafficking has been reported at the elementary school across the street from this facility.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates are not held at the facility overnight even though three cells are provided. Inmates can harm themselves using articles of clothing and the steel cross-members or bars that make up one of the walls of each cell.

36. Accountability and Reporting of Incidents
Incidents are reported to the BIA.

DRAFT

Section 3

Facility Review
May 18, 2006

The White Shield Law Enforcement Center was added on in 1965 as an extension to an existing BIA facility that was built in the 1920s as a teacher's residence for the White Shield School across the street. The teacher's residence served as the BIA Land Management office until it was abandoned by the BIA in 1982. The Land Management office also used a standalone three-car garage adjacent to its offices. The garage structure is still used by the law enforcement to hold evidence. The White Shield Law Enforcement Center serves as a short-term holding facility and a law enforcement substation serving the community of White Shield.

1. Exterior Site Conditions
   The exterior site conditions are fairly poor. The facility is located across the street from the local elementary/high school and serves primarily as a substation for the local police officers who patrol this area.

2. Exterior Exercise/Recreation Area
   Even though the facility has a provision of three cells for inmates and was meant to be used as a holding facility, it is not in active use as a detention center. The facility is used only as a detention center during the July festival or if a student is arrested at the elementary/high school. At other times it is used as a local substation for the police officers serving the local community.

3. Exterior Perimeter Security
   The exterior perimeter security is fairly poor. There is no fencing or any cameras that monitor the perimeter of the facility. The front door does have a lock that is capable of locking; however, the side door from the abandoned land management facility could be intruded through. The front door for the land management facility is left open at all times.

4. Sally Port Security
   There is no Sally port at the facility.

5. Building Interior Security
   There is no interior security at the facility.

6. Building Structure
   The building is slab-on-grade, block-wall structure.

7. Building Roof
The building has a flat roof. There have been no reported incidents or signs of leakage at the roof.

8. Interior Ceilings
Interior ceilings are in disrepair. These consist of dropped lay-in ceilings in the office areas and hard ceilings in the cell area.

9. Interior Walls
Interior walls are of block-wall construction.

10. Interior Flooring
Interior flooring in the housing area is painted concrete slab, and the flooring in the office area consists of glued-on vinyl tile over the concrete slab.

11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.

12. Interior Isolation Cells
There are no interior isolation cells at the facility.

13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.

14. Booking and Intake Area
There is no specific area designated as booking and intake area at the facility. Booking is conducted at the office.

15. Visitation Area
There is no area designated as the visitation area at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.

17. Dining Area
There is no dining area at the facility.

18. Day Room Area
There is no day room area at the facility.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific first aid or medical assistance area at the facility. There is no first-aid kit at the facility.

21. Toilets and Showers
There are no showers at the facility. There are three nonworking toilets. The water connection has been turned off and the toilets are in a state of disrepair.

22. HVAC System
There is no HVAC system at the detention center. Only heating is provided through electrical baseboard heaters and an electric space heater that is mounted on the common hallway across the three cells. It appears that this is the original unit that was installed in 1965 and has not been refurbished over the last 40 years.

23. Plumbing System
The plumbing system is in disrepair and the sanitation drains are plugged up. Water has been disconnected at the main shutoff valve.

24. Lighting System
The original light fixtures installed in 1965 are still in use and in a state of disrepair.

25. Electrical Power System
The electrical power system appears to be adequate for the size of this facility. The electrical system consists of an overhead service drop of 60 amp 120/240 volt, single phase 3 wire system. There is no emergency backup source of power. There is no emergency battery-backed egress lighting at the facility.

26. IT System
The existing IT system appears to be adequate for the use of the police officers at this facility.

27. Security System
There is no security system at the facility.

28. Energy Usage and Conservation
There is no awareness for energy conservation at the facility. The facility needs weatherization to prevent cold drafts through the exterior doors and windows.

29. Fire Egress – Exterior and/or Secured Areas
The facility is fairly small and the path of egress is within a reasonable distance to the exit from the facility.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are no fire alarms, fire sprinklers or fire extinguishers at the facility.

31. Building Access for Staff and Inmates
The staff uses the front entrance to enter the facility.

32. Hazardous Materials

The facility was built in 1965 and is attached to a structure that was built in the 1920s but was refurbished over time. All facilities have asbestos-containing material – ACM in the floor tiles and in ceiling. There may be additional fuel contamination at the underground fuel oil tank that was used in the boiler to heat the old abandoned structure built in the 1920s.

33. Handicap Access for Staff and Inmates
There are no access provisions for the use of disabled staff, visitors or inmates at the facility.

34. Potentially Hazardous Elements
Inmates can harm themselves using articles of clothing and the steel cross-members or bars that make up one of the walls of each cell.

DRAFT

Section 1

Background Information
of the
Menominee Reservation
Served by the Keshena Law Enforcement Center

Menominee Reservation[1]
Federal reservation
Menominee
Menominee County, Wisconsin

Menominee Indian Tribe of Wisconsin
P.O. Box 910
Keshena, WI 54135
715-799-5114
715-799-3373 Fax
Website: menominee.nsn.us
menominee.com

Total area (Tribal source) 235,000 acres

Population (2000 census) 3,216
Tribal enrollment (BIA labor report, 2001) 8,074

Total labor force (2000 census) 1,168
Total labor force (BIA labor report, 2001) 3,259
High school graduate or higher (2000 census) 73%
Bachelor's degree or higher (2000 census) 7.6%
Unemployment rate (2000 census) 21.4%
Unemployment rate (BIA labor report, 2001) 68%
Per capita income (2000 census) $8,555

LOCATION AND LAND STATUS
The Menominee Reservation is located in northeastern Wisconsin, about 45 miles northwest of Green Bay. It spans approximately 235,000 acres, of which 223,500 acres are heavily forested, representing the largest single tract of virgin timberland in Wisconsin. There are four communities on the reservation: the two main villages of Neopit and Keshena, a smaller village called Zoar, and the more scattered community of South Branch.

[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.

The present reservation was established in the Treaty of 1854, the last of a series of treaties that winnowed the tribe's ancestral territory from approximately 9.5 million acres down to 235,000 acres. The tribe resisted the 1887 Allotment Act and was able to maintain control of most of its tribal lands. In 1954, Congress passed the Termination Act, which resulted in the reservation's abolition on April 30, 1961. On December 22, 1973, Congress reversed itself, passing the Menominee Restoration Act, which the tribe implemented on February 9, 1979, by forming a tribal legislature.

PHYSICAL DESCRIPTION

The reservation ranges from 800 to 1,400 feet above sea level. Twenty-four miles of the Wolf River, a federally designated wild river, courses through the reservation. It is one of the last remaining pristine rivers in the state of Wisconsin. Over 400 miles of rivers and streams flow through tribal lands, and almost 4,000 acres of lakes are located within reservation boundaries. Almost 95 percent of tribal lands are forested. The reservation's forest was one of the first internationally certified "green cross" forests in the United States. Over 30 species of trees can be found on tribal lands, including white pines, many of which are over 200 years old. Eastern hemlock and Canadian yew are also common on tribal lands. The reservation is home to a number of wildlife species, including many endangered species, such as eagles, ospreys, red-shouldered hawks, cormorants, whitetail deer, bobcat, bear, and wolf.

GOVERNMENT

In 1977 the tribe adopted a new constitution and bylaws. The bylaws call for an elected nine-member tribal legislature, a tribal chairperson elected by the legislature, a tribal judiciary, and a general council. The legislature oversees approximately 40 social service and administrative programs.

Tribal government departments and offices include: language and culture, historic preservation, community development, economic development, enrollment, finance, general assistance, human resources, insurance, internal audit, job training, licensing and permits, loan fund, maintenance, MIS, social services, environmental services, utilities, program attorney, and tribal attorney.

The tribal law enforcement department provides patrol, administrative, investigative, and detention services on the reservation. The department also offers crime victims, police liaison, juvenile intervention, and K-9 divisions. The tribe's historic preservation department oversees the implementation of NAGPRA (Native American Graves Protection and Repatriation Act) in regards to Menominee remains. It has developed a historic preservation's repatriation plan and initiated the repatriation of Menominee remains from various museums and facilities. Tribal elders counsel the department, providing guidance during the processes. The tribal housing department offers elderly housing, low-income rentals, rental assistance, market-based rentals, rehabilitation, and security programs. It employs a staff of 40.

The tribe is a member of the Great Lakes Inter-Tribal Council. Comprised of tribes from across the Great Lakes region, the council supports member tribes in their

efforts to expand self-determination and to work collectively to improve the unity of tribal governments, communities, and individuals.

BUSINESS CORPORATION

Menominee Tribal Enterprises (MTE) is a chartered corporation that has been in operation since 1908. Elected tribal members serve on a board of directors and monitor the corporation's activities. The corporation offers lumber mix products. Menominee Computer Systems, a chartered division of MTE, provides computer services to the lumber and forests products industry and the federal government. MTE is certified by the Scientific Certification Systems Alliance and the Rainforest Alliance, and it was honored by the council on sustainable development. It is a member of the Forest Stewardship Council's Economic Council.

Wolf River Development Company is a tribally chartered business that operates in the housing development industry. The parent company, WICK Homes, has been in operation for over 30 years. It offers over 100 different models and styles of homes.

The Menominee Nation is a member of the Northwoods Niijii Enterprise Community, (NNEC), which was established in 1998. NNEC is comprised of the Lac du Flambeau Band, Menominee Tribe, Sokaogan Mole Lake Band, and eight rural communities. NNEC oversees funds that were the USDA awarded to improve each tribe's reservation and the surrounding communities. The organization's goals are business development, improved infrastructure, social development, improved education and technology, and protection of the environment and ecosystem of the Northwoods. Completed NNEC projects include granting micro-loans and loan guarantees totaling $490,000; replacing 3.5 miles of water and sewer systems along Highway 47; constructing an elder housing complex at Manitowish Waters; improving 10 miles of tribal road at Lac du Flambeau; developing f the resource service center at Lac du Flambeau; and expanding the facilities at the College of the Menominee Nation. Future projects include developing retail space in downtown Lac du Flambeau; constructing a multipurpose trail system; and continuing a sustainable 10-acre strawberry farm at Lac du Flambeau. NNEC received a $100,000 Minority Business Development Award in 2004.

INFRASTRUCTURE

State highways 47 and 55 pass directly through the reservation, providing access from Green Bay and points beyond. Commercial air service is available at the Shawano Municipal Airport, 15 miles from the reservation, as well as in Green Bay, 45 miles away. Regular commercial and charter bus lines serve the reservation, as do major commercial truck lines. As for rail service, the Soo Line provides a spur for the tribal sawmill in Neopit.

Electricity – The Menominee Tribal Utilities Department provides electrical services to reservation residencies.

Fuel – Bottled gas is the largest source of home heating on the reservation, followed by wood, fuel oil, and kerosene. All are available through local distributors.

Water Supply – Wells provide water for most homes on the reservation. The Menominee Tribal Utilities Department provides water to a large minority of reservation homes. It also provides septic services for residential septic tanks, and a public sewer system provides sewer services.

Transportation – The tribe has established the Menominee Public Transit system within the reservation and into the county of Menominee. The system provides four scheduled vans and two buses for public use. Special trips can be scheduled with the public transit coordinator.

COMMUNITY FACILITIES AND SERVICCES

The tribe maintains a community center with a variety of facilities. A library is also available on the reservation. Community services offered by the tribe include the Child Support Agency, kinship care, social services, food distribution, and family preservation and support programs. The Community-Based Residential Facility offers programs for tribal elders. The tribe also maintains senior citizen's centers in Keshena and Neopit.

The tribe operates the respite care program for children from infancy to four years old whose families meet the criteria for family crisis or respite care needs. The Eagle's Nest Emergency Shelter provides emergency and temporary assistance to homeless individuals and families and to victims of domestic violence. It is located in a three-story home and offers 20 three-bed rooms, and a shared kitchen, dining room, and living room space. The shelter offers case management, referral, eviction prevention, move-out, first months rent and security deposit, utility assistance, budget counseling, daily living skills, classes, transportation, housing, computer learning, clothing, and mentoring services.

Education – The reservation is served by the Menominee Indian School District, which provides employment for nearly 12 percent of the tribal workforce. Programs include elementary, middle, and high school. The tribe also operates a private K–8 school, the Menominee Tribal School. The tribe operates the Delores K. Boyd Head Start program, the Neopit Head Start program, and the tribal daycare facility on the reservation as well. The tribe contracts the Johnson O'Malley Program for the Menominee, Menominee Tribal School, and Shawano/Gresham and Suring School districts.

The tribe's education department provides assistance with completing admissions and financial aid forms, assistance processing BIA grants for eligible students, career counseling, and a GED/HSED program.

The tribe also operates the College of the Menominee Nation (CMN). It was chartered in 1993 by the Menominee Tribal Legislature and is a member of the American Indian Higher Education Consortium. The college offers a technology lab, new library, and distance education center. CMN offers associate degree programs in accounting, counseling, business administration, carpentry, computer science, education, liberal studies, natural resources, nursing, social work, and tribal legal studies. The college features an English department, a culture institute, and the

sustainable development institute. The college library contains an extensive collection of print, nonprint, and electronic information on Native American studies and on subjects related to the school's academic curricula. The library contains a special Native American collection of materials that do not circulate, offers interlibrary loan services to students, and has 10 Internet access computer stations.

Health Care – In 1977, the tribe successfully acquired congressional and Hill-Burton funds and constructed the first Native American-owned and operated health facility in the United States. It serves the tribe's total health care needs. The clinic has been accredited by the Joint Commission of Accreditation of Healthcare Organizations. It employs two full-time doctors, two dentists, two ambulances, and a number of nurses and pharmacists.

The tribe also operates the Maehnowesekiyah Treatment Center. This facility offers comprehensive outpatient services. All programs are nationally accredited by community-based residential facilities and the State of Wisconsin. The center includes primary alcohol and other drug abuse (AODA) day treatment, adult AODA education, Menominee Nation early childhood, family therapy, and an aftercare program. The tribal health program also offers an adult residential treatment program.

DRAFT

Section 2

Program Review
July 24, 2006

1. Funding of Operations
Operations are funded through an equal contribution from the PL 638 program and from the tribal contributions. Funding for October through March uses the PL 638 funds and funding from April through September uses the tribal funds. Funding for operations for detention is approximately $850,000.

2. Funding of Repairs and Maintenance of Facility Structure
Funding for the repairs and maintenance of the facility is approximately $125,000. The PL 638 contract is negotiated every five years and has not kept pace with the actual market needs for the facility.

3. Policies and Procedures
The facility has used a locally developed set of policies and procedures based on the 1969 BIA Manual which was used as a guideline. This set of policies and procedures has never been approved by the BIA. The formal approval process requires both the tribal Legislature and the BIA to approve the manual. The last approval was obtained from the Legislature 16 years ago in 1989. Since then local political waves have prevented the formal approval of the policies and procedures.

4. Staffing
Staffing has been reduced to work part-time as a result of reduction in funding. There is a total staff of 15 individuals. This includes one jail administrator, two cooks and 12 full-time detention officers. Of all of these, only eight are certified. The remaining officers have been on the workforce for less than 12 months. They are awaiting appropriate certification.
It is a challenge to recruit qualified individuals. The first job posting priority is to recruit individuals from the local tribal individuals of the Menominee tribe. Upon failure to recruit appropriate individuals from the first posting, a second job posting is made which is open to all.
The starting salary for a line officer is $9.72 per hour with a graduated increase of $.30 to $.50 per year up to a maximum of $15 per hour for a supervisory position. On average an officer reaches hourly wages of $11 per year after having an experience of six years at the facility. In all surrounding counties, similar positions are offered at least $4 per hour more for equivalent responsibilities. Starting wage for the County is between $14 per hour to $17 per hour. Thus trained officers often leave

within one to two years, taking away the investment in them that was made by the facility.

5. Programs
The facility provides educational services to the inmates so they could attain a GED. On average five to six inmates complete this requirement every year. The clergy provides church services. Smudging and prayer circle meetings are held once per year. Domestic violence counseling is provided once per week.

6. Staff Training
None of the officers at this facility have been trained at the Academy in Artesia because of a lack of time and sufficient backup staffing to cover for those who are sent to training. All officers are certified by the state of Wisconsin which is recognized by the BIA as an appropriate certifying agency. Two new detention officers who started working last week are on probation. Two other officers are awaiting acceptance for training. The remaining eight detention officers are certified.

7. Space for Inmates On-Site
There is space for 45 inmates at this facility. These consist of 34 beds for male inmates and 11 beds for female inmates. The population peaks on or about May 22nd to between 60 and 70 inmates. It reached 56 inmates this past year. Had it not been for the arrangements negotiated with the courts, the population count would be approximately 80 inmates today.

8. Space for Inmates Off-Site
Arrangements have been made with Shano County to accept the overflow of inmate population from this facility. However, that facility is often filled to capacity as well. The Shano County Jail charges $40 per day per inmate.

9. Staffing Capacity for the Inmates On-Site
The facility is short on staff. The facility works on four twelve-hour shifts with alternating schedules for the officers. Generally the facility is staffed with one supervisor and two correctional officers per shift. The facility has lost eight officers in the last five years.

10. Staffing Capacity for Transportation and Escort for Inmates
Detention officers provide transportation and escort for inmates. The health care clinic and the court are within a five-minute drive from the facility.

11. Office Supplies for Staff
Office supplies are sufficient for staff at this time.

12. IT Equipment for Office Use
IT equipment is adequate at this time.

13. IT Equipment for Communications Use
There have never been sufficient funds to purchase appropriate radios for communications. Detention uses radios that have been discarded by the Police Department. At this time these radios are serviceable. There are two additional spare radios to serve as a backup.

14. Personal Supplies for Inmates
Personal supplies for the inmates are provided by the families through the commissary program. Families provide commissary funds on behalf of the inmates. These funds are used by the inmates to purchase personal supplies and articles of hygiene. The facility operates the commissary program as a 'for-profit' business. The profits are used by the facility to serve its own needs. Funds were used to purchase a dryer for the laundry. Funds are also used for the GED program.

15. Uniforms for Staff and Inmates
There are insufficient funds for the purchase of uniforms for the staff. Inmates are provided new uniforms as they wear out. Such purchases are made at least once per year.

16. Linen for Inmates
There are adequate blankets and mattresses for the inmates at this time. Purchases are made at least once per year.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are adequate at this time. Some of the institutional furniture is in disrepair. Appropriate work orders have been issued for such repairs.

18. Transportation Vehicles
The detention facility does not have the use of any transportation vehicles. Inmates are transported in police squad cars. Because of the insurance requirements, detention officers other than the detention supervisor are not permitted to drive. Thus every transportation and escort requires both a transportation officer and a police officer.
A small six-passenger van with a transportation cage is needed.

19. Fuel for Vehicles
At this time the detention facility does not have a need for fuel for their vehicles.

20. Utilities for Facility
Utilities for the facility have appropriate funding.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is adequate hot and cold water for kitchen, laundry and showers.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas. Five years ago, all light fixtures were replaced with vandal-resistant light fixtures and with appropriate night-lights.

23. Ongoing Repairs and Maintenance
This facility maintains good records of all service calls, work orders and fire drill reports. There is one individual who shares the repair and maintenance of this facility with other facilities. However, this individual is incapable of providing sufficient time and attention for all of the repairs and maintenance that are needed at this facility. The individual provides a reactive response rather than a proactive approach to the repairs and maintenance. The checklist log that is maintained for the repairs and maintenance is inappropriately designed to project the needs in the future and prevent costly repairs later. Lack of such a response was indicated by the inattention to appropriate drainage, resulting in ponding on the flat roof and consequent roof leaks.

24. Deferred Repairs and Maintenance
1. Plumbing system for potable water and sanitation needs to be replaced.
2. Building is degrading in some areas. Divider walls have come loose and almost fell on an inmate since there is no rebar between the floor and the wall. Remove existing divider walls and build structurally sound new divider walls.
3. All individual shower stall finishes need to be sandblasted, sealed and refinished in for all shower stall areas.
4. The HVAC distribution system for the entire building needs to be air balanced.
5. Clean interior of the entire distribution duct system.
6. Adjust new DDC controls for appropriate are balance.
7. Provide a new lightning protection system to the building including protection for generator building and the radio tower adjacent to the generator building.
8. Additional 48-camera security system that should be compatible with the existing camera system.

25. Medical Response at the Facility
The medical response includes visitation by a nurse from the local clinic on a weekly basis to assess the health care needs of the inmates. The nurse checks for tuberculosis and other communicable diseases because the inmates do not know if they carry such diseases. The facility does not isolate the inmates unless it is known that an inmate is a carrier for such a disease. For emergencies, the tribal dispatch pages and an EMS arrives at the facility in two to five minutes. If an inmate were to be transported, then a detention staff accompanies such transportation. The facility is in the process of working out a system with a local health clinic so that an M.D. is available at least once a week for specific use by the facility.

26. Booking Process at the Facility
Booking is conducted on a desktop adjacent to the entry from the Sally port followed with additional booking work that is conducted in a space adjacent to the central control room. Neither of the two spaces is appropriate for the booking process. The desk mentioned earlier is in an open hallway and the smaller space is too confined to carry a proper booking with the booking officer on one side of a small countertop and the inmate and another officer on the opposite side behind the closed door within this entryway alcove the central control room.
Appropriate jail management software is not used. The software that is in use is borrowed from law enforcement.

27. Food Service at the Facility
Food service is generally adequate at the facility. All appliances have been replaced in the past two years. However, the kitchen lacks adequate storage and adequate secure cabinets and storage of kitchen knives and utensils.

28. Kitchen and Dining Staff at the Facility
There are two cooks who provide all meals. A trustee helps out with additional duties that are required in the kitchen.

29. Housekeeping Staff at the Facility
The kitchen, laundry and associated corridors are cleaned by the trustees. Control room and associate offices are cleaned by the detention staff. The housing units are cleaned by the inmates. These housing units were found to be fairly dirty.

30. Repairs and Maintenance Staff at the Facility
There is one individual who is designated for all repairs and maintenance at this facility. This individual also provides janitorial functions and other maintenance chores for the changing seasons. The individual does not have sufficient time to properly repair and maintain the building.

31. Inmate Services Provided at the Facility
The facility provides educational services to the inmates so they can attain a GED. On average, five to six inmates complete this requirement every year. The clergy provides church services. Smudging and prayer circle meetings are held once per year. Domestic violence counseling is provided once per week. No other inmate services are provided at this facility. No inmates have been given any outdoor time during the past two and one-half years. Such services would require staffing time for four to five hours each day and there is insufficient staff to carry out this function.

32. Healthcare Assistance in the Community
The Indian Health Services provides healthcare services to the community. Dental and mental health services are provided by the county, which also provides child healthcare services.

33. Other Support Agencies in the Community
Family counseling services and drug/alcohol counseling are provided by the community.

34. General Reasons for Detention
Most detainees are incarcerated as a result of violent crimes, which have a rate of 959 per 100,000 inhabitants. The rate for property crime and all other crimes is 2817 and 8022 per 100,000 inhabitants respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Potentially inmates may use articles of clothing or may find a way to slash their wrists. There are one to two suicide attempts every year and one successful suicide was carried out 20 years ago. The state of Wisconsin is invited to provide assessments since the BIA does not provide them. The BIA inspection team has not inspected the facility in a long time. The BIA inspector visits once a year, walks around for ten minutes and considers that an inspection of this facility, which is generally part of an overall inspection tour of several other buildings within the community.

36. Accountability and Reporting of Incidents
All incidents are reported to the tribal office. There has been almost no contact with the BIA.

DRAFT

Section 3

Facility Review
July 24, 2006

1. Exterior Site Conditions
Exterior site conditions are poor. The facility was built in 1983 on a site that is fairly congested. The site is located between a river and other publicly accessible roads and facilities. Exterior walls windows of the cells are accessible to the general public, as is all of the exterior fencing of the recreational areas.

2. Exterior Exercise/Recreation Areas
The exterior exercise/recreation areas are enclosed with a chain-link fence and razor wire above. There are two exercise/recreation areas, one for males and one for females, each of which is interconnected by a chain-link fenced and covered walkway leading to a secure staging area for use in emergencies.
The chain-link recreation area was approached and breached by the general public leading to an escape from this area. These areas have not been used in the past 2 1/2 years because of a lack of staff to supervise the inmates while they are in this area.

3. Exterior Perimeter Security
Exterior perimeter security is poor. While there are cameras that have been installed around the perimeter, there are a large number of blind spots that are not monitored by these stationary, single, cone-of-vision cameras. In addition, the cameras derive their power source from plugs that are plugged into receptacles on the exterior of the buildings and which may be freely unplugged by the general public.

4. Sally Port Security
The Sally port is secure and one of the windows from the central control room has a direct view of the Sally port.

5. Building Interior Security
The existing camera system consisting of 40 cameras leaves several blind spots that do not cover all areas that need to be monitored. The system was installed by the detention staff in the year 2000. The system provides poor resolution at the monitors in the control room. The monitors in the control room are located such that they are not within the peripheral vision of the detention officer who is on duty at the control room. The monitor is monitored only on occasions when the detention officer does not have her attention diverted to three other direct line-of-sight windows and her computer monitor, which is in active use. The system is

inadequate and needs to be supplemented with an additional 48-camera system that should be compatible with the existing camera system.
The building design is extremely dense with linear functionality. As such it requires a large number of officers to supervise all of the inmates. One individual officer is required to supervise each cell and each dorm unit.

6. Building Structure
The facility is a slab-on-grade structure with steel studs plywood and brick veneer for siding. The housing area consists of block-wall construction.

7. Building Roof
Inter building has the mezzanine interstitial space that is covered with the steel pitched roof. The central section is a flat roof with a plywood deck and a rubberized membrane.
The central section is prone to leaking when the drains are clogged. Generally, the roof is in good repair.

8. Interior Ceilings
The ceiling in all the housing space consists of steel plate deck. Ceilings in general office areas consist of glued tile on sheetrock and lay in drop ceilings with steel deck above.

9. Interior Walls
Interior walls for the offices consist of drywall and steel studs. Interior walls in the housing area consist of block-wall construction.

10. Interior Flooring
Interior housing floor consists of painted concrete slab. Flooring and the offices and in general use areas include carpeting VCT tile and linoleum.

11. Interior Dormitory Cells
Interior dormitory cells are adequate. VCT tile is used for flooring in the interior dormitories.

12. Interior Isolation Cells
Interior isolation cells are adequate.

13. Interior Detoxification Cells
Interior detoxification cells are adequate.

14. Booking and Intake Area
The booking and intake area is very small. Inmates are not medically screened at the time of booking. There is no barrier between the detention officer and the inmate at the time of booking.

15. Visitation Area
The visitation area consists of a small space with a sound barrier between the inmate and the visitor. The intercom between the inmate and the visitor does not work. The entry and waiting area for the visitors is awkward as it leads the visitors from one of the back doors. There are no restrooms for the visitors and there are no cameras to cover the visitation area.

16. Kitchen, Food Preparation and Pantry Area
All of the kitchen appliances in the kitchen have been replaced in the last two years. Though small, the kitchen is maintained and operated in an efficient manner. However, there is insufficient storage space. Kitchen knives and utensils are unsecured. There is no secure cabinet for all of the utensils and knives that are in use in the kitchen. Inmate trustees are employed in the kitchen as kitchen help.

17. Dining Area
There is no specific dining area at the facility. Inmates eat in their cells.

18. Day Room Area
The multipurpose room is used as a day room. This space is also used to conduct GED classes and other meetings for the benefit of the inmates.

19. Vocational Training Area
There are two computer stations located in the multipurpose room. These computers provide the only vocational training at this facility. Arts and crafts classes have been suspended for lack of staff.

20. First Aid and Medical Assistance Area
There is a specific space to render first aid and medical assistance at the facility. Medical supplies are adequate.

21. Toilets and Showers
Toilets and showers are in disrepair. There are sufficient hot and cold water for inmates.

22. HVAC System
The air-balance of the HVAC system needs to be adjusted since some areas are either too hot or too cold. At this time the temperature setting during the summer is kept cooler at 68°F instead of 72°F to compensate for the inefficient airflow. Similarly the temperature setting during the winter is kept warmer at 75°F instead of 72°F.

23. Plumbing System
The plumbing system is adequate. No problems have been reported with the sewer system. Only one clogged drain has been reported in the last four years. One of the toilets-sink combination units were replaced 11

years ago in 1995. Hot water pipes are not insulated and additional shutoff valves are required to isolate each cell.

24. Lighting System
The lighting system is adequate. Night-lights are provided in the light fixtures; however, inmates cover up the lenses to reduce the level of lighting.

25. Electrical Power System
The electrical system consists of 1200 amps, 208Y/120 volt, three-phase four wire system. An LP gas-fired 75 KW generator with 287 hours on the hour meter is located in a separate building away from the main facility. This generator is exercised once per week. However, no logs were available to determine if the generator is load tested at least once per month. A400 amp – 3pole transfer switch interconnects the commercial power to the emergency power. Battery-backed egress lighting is provided inside the building.
During a lightning storm on May 31, 2006 regular commercial power was interrupted from the utility. The emergency generator came online. However, lightning struck the radio tower which is located very close to the generator room. The lightning traveled down to the generator and damaged the controls of the generator, which caused the generator to shut down. The battery-backed emergency egress lighting within the building did not work for lack of maintenance. Thus all three power sources shut down and the building plunged into darkness, leaving all security and safety systems inoperable.
There is no lightning protection on the radio tower or the building in a geographic location where lightning storms are commonplace.

26. IT System
The IT functional system for the building is adequate. However, a large amount of IT cabling has been added throughout the plenum space and in the network room that is used by the law enforcement. Disorganized cabling, improper supports and unknown insulation of the plenum cables are a fire hazard. The building was not designed to accommodate the extent of IT systems that have been added over time.

27. Security System
The building security camera systems are inadequate at this time. A new 48-camera system needs to be added that is compatible with a new base system that was installed about two months ago.

28. Energy Usage and Conservation
The facility uses T8 lamps and LED exit lights. The facility is aware of the loss of energy as a result of an unbalanced HVAC system which causes the facility to be excessively cooled and excessively heated to compensate for temperatures in those areas that have insufficient airflow and inadequate air circulation.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is adequate and there are sufficient secured staging areas to evacuate the inmates. With optimum conditions the facility can be evacuated in three minutes; that is, if all power sources are in operation.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system which includes smoke detectors and manual pull stations in appropriate locations. There is no sprinkler system except one sprinkler head in the laundry room and two sprinkler heads in the clothing storage room. The fire alarm system is checked on an annual basis. The kitchen hood suppression system is also checked on an annual basis.

31. Building Access for Staff and Inmates
Inmates are escorted through the Sally port. Visitors enter through the back door. The Police Department and staff at the detention facility use the front main entrance.

32. Hazardous Materials
The showers in the dormitories are potential areas for the growth of mold. There is no asbestos or lead paint that was observed or noted at the facility.

33. Handicap Access for Staff and Inmates
The facility is provisioned partially to allow accessibility for the disabled. A ramp and two additional doors are being provided that will be compliant with the ADA requirements. Additional work is in progress to provide appropriate toilets for public access. All new combination toilet-sink combination units in the housing area are equipped with a grab-bar.

34. Potentially Hazardous Elements
Articles of clothing in combination with the grab-bars mentioned above could be used by the inmates to harm themselves. The suspended television platforms in the cell areas, the ropes used for shower curtains and for privacy curtains, the electrical cords for the television sets combined with articles of clothing may be used by the inmates to harm themselves.

Section 1

Background Information
of the
Bois Forte Reservation
Served by the Nett Lake Law Enforcement Center

Bois Forte Reservation[1]
Federal reservation
Chippewa or Ojibway
Koochiching, Itasca, Lake, St. Louis and Cook counties, Minnesota

Bois Forte Band of Chippewa
P.O. Box 16
Nett Lake, MN 55772
218-757-3261
218-757-3312 Fax
Website: boisforte.com

Total area (BIA realty, 2004) 43,789 acres
Tribally owned (BIA realty, 2004) 31,624 acres
Individually owned (BIA realty, 2004) 12,160 acres
Federal trust (BIA realty, 2004) 5 acres

Population (2000 census) 717
Tribal enrollment (BIA labor report, 2001) 2,857

Total labor force (2000 census) 315
Total labor force (BIA labor report, 2001) 1,069
High school graduate or higher (2000 census) 80%
Bachelor's degree or higher (2000 census) 11.3%
Unemployment rate (2000 census) 7.9%
Unemployment rate (BIA labor report, 2001) 5%
Per capita income (2000 census) $11,790

LOCATION AND LAND STATUS
The Bois Forte Reservation is divided into three sections: Nett Lake, the largest and the location of Bois Forte tribal headquarters; Deer Creek, in Itasca County; and Vermilion. Tribal members currently live in the Vermilion and Nett Lake sectors,

[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.

and on trust lands. The reservation lies 75 miles south of the Canadian border in Minnesota.

Originally spanning 103,863 acres, the Bois Forte Reservation was established by treaty in 1866. An executive order on December 30, 1881, set aside additional parcels for the "use and residence of the Bois Forte Band of Chippewas." Currently, the reservation totals 132,000 acres; approximately 11,500 acres of the land base are allotted.

PHYSICAL DESCRIPTION

The Nett Lake Sector straddles the Koochiching and St. Louis county line; both the Nett Lake River and the Little Fork River intersect the Nett Lake sector. The Deer Creek sector lies in Itasca County and is crossed by the Big Fork River. The Vermilion sector lies within a peninsula on Lake Vermilion. Nett Lake contains the largest contiguous wild rice (manoomin) beds in the world, totaling almost 8,000 acres near Spirit Island.

CLIMATE

There is no climate information recorded for Nett Lake, Minnesota. However, the community lies approximately 40 miles south of International Falls and temperatures would not differ significantly. The year-round average daily high temperature at International Falls is 48°F, with the highest temperature ever recorded of 99°F. The year-round average daily low is 26°F. The lowest temperature on record is -46°F. The area receives approximately 24 inches of rain annually and 64 inches of snow.

CULTURE AND HISTORY

Ojibway is generally interpreted as "To roast till puckered up," referring to the puckered seams of moccasins, or as a mispronunciation of O-jib-i-weg, "Those who make pictographs." The name Chippewa, widely used in treaties and other official documents, is a corruption of the early spellings of Ojibway or Otchipwe. Anishinabe (Anishinabeg, plural) is the name by which the people call themselves, and it indicates "Original or Spontaneous Man" or "The People." Bois Forte, a French phrase translated as "Strong men (or Strength) of the woods," Chippewa speak an Algonquian based language.

The Bois Fortes originally lived in small self-governing villages in Canada. The tribe first encountered French explorers in the 1600s near Sault Sainte Marie, Canada. Later, they prospered in the fur trade and expanded their population and territory. By the late eighteenth century, the Iroquois had driven the Chippewas out of the Ontario peninsula, and they began to move into western Wisconsin and northeastern Minnesota. Arriving in what is now Minnesota, the Chippewas encountered the powerful Santee Sioux. Conflicts between the two tribes persisted until the Chippewas successfully drove the Sioux westward. When Euro-American settlers arrived, the Chippewas occupied more than half the state. The Minnesota Chippewas lived in four great divisions, each containing a number of bands.

Living in isolated villages throughout the early nineteenth century, the Chippewas were able to avoid the increasing number of westward-moving settlers. In the March

19, 1867 Treaty, the 10 chiefs of the Chippewa of the Mississippi ceded their treaty rights to land that extended northwest to Thief River and north to Turtle Lake. They retained land in an area quite similar to the present Leech Lake Reservation boundaries. The 1889 Nelson Act designated that all Chippewas living in Minnesota be moved to the White Earth Reservation. The Native people resisted this decree, and finally the U.S. Chippewa Commission was directed to negotiate for the complete cession of all lands belonging to the different bands except for the Red Lake and White Earth reservations. The Chippewas were able to retain seven reservations in Minnesota: Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, White Earth, and Red Lake, all located in the northern half of the state. Land losses by the turn of the twentieth century as a result of allotments were so massive that today the reservations are a fraction of their original size.

Chippewa in the twenty-first century are a diverse group active in contemporary society. Determined to maintain their culture and improve the living conditions of tribal members, the Minnesota Chippewas have a long tradition of political and legal activity to reclaim lost lands. Many contemporary members excel and have received national recognition in the visual, literary, and traditional arts.

GOVERNMENT

The original constitution and bylaws of the Minnesota Chippewa Tribe were ratified in 1936, in accordance with the Indian Reorganization Act. The six member reservations of the Minnesota Chippewa Tribe sought a single consolidated tribal government without relinquishing governance at the local level. Each member reservation elects its own tribal government, generally called the Reservation Business Committee, which governs locally as well as provides representation to the consolidated organization, which is governed by a tribal executive committee. The headquarters of the Minnesota Chippewa Tribe are located in the community of Cass Lake, on the Leech Lake Reservation. Enrolled members in the Minnesota Chippewa Tribe totaled 40,000 in 1993.

The Bois Forte Reservation is governed by a five-member elected tribal council, each member serving staggered four-year terms. The council includes a chairman, a secretary-treasurer, and district representatives.

The tribal council operates Head Start and other child care programs, conservation enforcement programs, roads and community maintenance, tribally owned enterprises, and central administration. They have their own criminal and judicial court system. The community maintenance program provides street and road maintenance, public building maintenance, and general community grounds upkeep and beautification.

The tribe, under PL-638, contracts with the BIA to administer key programs and services, such as the Indian Health Service clinic. The Bois Forte tribal council participates with that of Grand Portage in the 1854 Authority, an entity that regulates off-reservation tribal hunting, fishing, and gathering rights stemming from the 1854 treaty.

BUSINESS CORPORATION
In 1992, the tribe formed the Bois Forte Business Development Program, which provides loans for tribally owned small businesses.

INFRASTRUCTURE
The community of Bois Forte, in the Nett Lake Sector, lies along State Highway 65 and State Highway 23, the latter leading to the eastern edge of Nett Lake. State Highway 1 crosses the Deer Creek Sector and intersects west of Deer Creek at the town of Effie with Highway 38. The Vermilion Sector may be accessed from State Highway 17 off of Highway 169.

Water Supply - Water and sewage systems are provided by the Bois Forte Water and Sanitation Department.

Transportation - Falls International Airport, 80 miles northwest of Nett Lake, provides the closest commercial air service. The City of Orr, 20 miles from Nett Lake, has commercial train and bus services. The nearest truck line stops in Cook, 36 miles from Nett Lake. The Chishom Hibbing Airport lies southwest of the Vermilion Sector.

COMMUNITY FACILITIES AND SERVICES
The tribal community center provides a gathering place for special events, and it houses the elderly nutrition program and other senior events. The Nett Lake recreational area has facilities for softball and skating, as well as a permanent powwow grounds. The Nett Lake Post Office is located in the Bois Forte Reservation tribal office building.

Education - Reservation students (grades K-12) are enrolled in Nett Lake School, Independent School District #707. Younger children may attend the Head Start program and the Bois Forte Reservation daycare center. The tribe's adult basic education program provides GED testing and a comprehensive adult curriculum. The Bois Forte Reservation Tribal Academic Scholarship Program awards scholarships to graduating seniors at both Orr and Tower high schools.

Health Care - Nett Lake Health Center (full-time) and Vermilion Lake Health Station (two days a week) are staffed by a full-time physician, physician's assistant, registered nurse, LPN, and part-time lab technician. Community Health representatives provide liaison and follow-up services. Community Health Nursing employs one community health nurse, and it emphasizes early detection of illness and preventative health services. Emergency medical service is provided by the tribally operated, licensed ambulance program. The mental health department provides mental health and social services. The child welfare program provides children's advocacy services in abuse and custody situations. There is a dental clinic with a tribally hired dentist, dental assistant and dental assistant/receptionist.

Section 2

Program and Facility Review
July 22, 2006

There was no individual to be met at this facility even though a proper appointment was made and we were there at the facility prior to the appointment time. The facility was locked.

There appear to be no inmates at this facility. There are no cameras around the perimeter and the exercise/recreation yard is used as a secured trash dump for the safekeeping of crushed aluminum cans. There were two BIA Police pickup trucks — one used as a snow plough—parked at the facility, both of which appeared to be in good condition. Smell of dead carrion emanated from the eaves at the front entrance. Signage for the municipal center, police department and the Bois Forte tribal court are located on the highway, but the facility appeared to be deserted.

Pictures were taken and measurements were made to ascertain the size and general condition of the facility. The physical building does not appear to be vandalized at this time. However, there are a number of areas of disrepair on the eaves. Generally the siding and the roof appear to be in good condition. A general assessment was made for the potential repairs and maintenance that may be needed based on the overall condition and age of similar buildings.

Law enforcement functions for this tribe have been partly relocated to a new public safety building that is located about 7 miles away on the Bois Forte Reservation. Detention is contracted out.

Section 1

Background Information
of the
Navajo Reservation
Served by the Chinle Adult Detention Center

Navajo Nation[1]
Federal reservation
Apache, Coconino, and Navajo counties, Arizona; Bernalillo, Cibola, McKinley, Rio Arriba, Sandoval, San Juan, and Socorro counties, New Mexico; and San Juan County, Utah

Navajo Nation
P.O. Drawer 9000
Window Rock, AZ 86515
928-871-6352
928-871-4025 Fax
Web site: indianaffairs.state.az.us/tribes/tribes.html

Population 180,462

High school graduate or higher 55.93%
Bachelor's degree or higher 7.29%
Per capita income $7,269.00

DRAFT

[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.

Navajo Nation Land Area by Types and States

Types of Lands	Arizona	New Mexico	Utah	Total Land
Navajo Nation Trust	10,158,784.82	2,795,418.26	1,223,933.96	14,178,137.04
Navajo Nation Fee	585,169.98	357,000.00	424.90	942,594.88
Individual Indian Allotment	81,963.81	671,043.50	9,741.80	762,749.11
State Lands Lease	256,905.79	126,760.10		383,665.89
BLM Leases		150,002.23		150,002.23
U.S. Forest Service Permit	174,000.00			174,000.00
Government E.O. PLO & School Tract		91,838.99	5.99	91,844.98
New Lands	345,032.00			345,032.00
Total Lands	11,601,856.40	4,192,063.08	1,234,106.65	17,028,026.13

The Navajo Nation has: 17,028,026.13 acres of land or
26,606.29 sections square miles of land or
739.06 townships of Navajo Nation lands and lease lands.

LOCATION AND LAND STATUS

The Navajo Nation, comprised of 26,606 square miles, is the largest Indian reservation in the United States, both in terms of land base and tribal enrollment. The land base, comparable in size to the state of West Virginia, is located in northeast Arizona, northwest New Mexico, and southeast Utah. Window Rock, Arizona, in the southeast corner of the reservation, is the capital of the Navajo Nation. The Navajo Tribe is the only Arizona tribe not served by the Bureau of Indian Affairs' Phoenix Area Office; because of its size, the tribe has its own area office, located in Gallup, New Mexico.

The original Navajo Reservation, established pursuant to treaty concluded on June 1, 1868, and ratified by Congress on July 25, 1868, contained 3,414,528 acres, only about 10 percent of the land the Navajos earlier owned and used. The original reservation was

expanded by Executive Orders in 1878, 1880, 1882, 1884, 1900, 1901, 1905, 1907, and 1908. In 1911, lands in New Mexico were restored to the public domain. Minor revisions to the Navajo Reservation's size were made in 1912, 1913, 1914, 1915, and 1917. Executive Orders in 1917 and 1918 again expanded the reservation. In 1930 and 1931, the reservation was expanded by Congressional Acts. In 1933, Congress added 552,000 acres in Utah to the reservation and in 1934 provided for some smaller additions. Minor changes were made to the size of the reservation in 1948, 1949, and 1958. Court decisions in 1962, 1963, and 1977 reallocated some areas of the Navajo reservation to the Hopi.

In addition to the main Navajo reservation, there are three satellite areas of Navajo land located in New Mexico. The Cañoncito Reservation, the present boundaries of which were established in 1960, contains 57,863 acres of trust land. The Alamo Reservation, established in 1964, contains 62,000 acres. The Ramah Reservation, established in 1931, contains 91,456 acres. Today, the total acreage of the Navajo Reservation, including the main reservation, trust lands of the Eastern Navajo, and the satellite lands of Cañoncito, Alamo, and Ramah, is 16,224,896 acres.

PHYSICAL DESCRIPTION

The landscape varies from arid deserts to alpine forests, with elevations varying from 5,500 feet to more than 10,500 feet. The elevation at Window Rock, the Navajo Nation's capitol, is 6,760 feet above sea level. Wind, water, and volcanic activity have shaped the spectacular canyons, mesas, mountains, and deserts of the Navajo Nation over millions of years. The effects of these natural forces can be seen in scenic wonders located within the Navajo Reservation, including Canyon de Chelly, Monument Valley, Shiprock, Grandfalls, the Chuska Mountains, the Rainbow Bridge, and the Painted Desert.

CLIMATE

The average year-round high temperature is 64°F. The average year-round low temperature is 32° F. The area receives almost 12 inches of precipitation annually, with 30 inches of snowfall.

CULTURE AND HISTORY

The Navajos (Ni'hookaa Diyan Diné, or "Holy Earth People" or "Lords of the Earth") have been in the Southwest since at least the year 1300 AD after migrating southward from western Canada over 1,000 years ago. During the 1600s, Navajos acquired horses and sheep from the Spaniards, along with the knowledge of working with metal and wool.

The Navajos resisted Spanish domination during the late eighteenth and nineteenth centuries, also fighting against Anglo colonization after 1846, when the Americans took over the southwestern territory once owned by Mexico. Fighting continued throughout the 1850s until 1864, when the Navajos were rounded up and forced onto the infamous "Long Walk" to Fort Sumner, New Mexico, where they were taught a sedentary, agricultural lifestyle. However, by 1868 the experiment was recognized as a failure, and a new treaty established the Navajo Reservation, allowing the people to return to a portion of their land. There they practiced a mixed subsistence economy of agriculture and herding. The discovery of oil and gas on the reservation in 1921, and the later discovery of uranium, provided the stimulus for modern economic development. Today, the people call themselves Diné, meaning "The People." They call their traditional homelands Dinetah.

Dinetah, the Navajo homeland, is defined by four sacred mountains, which represent the four cardinal directions. Mount Blanca (Tsisnaasjini' or "Dawn or White Shell Mountain") is the eastern reference point, near Alamosa, Colorado. It is the tallest mountain in the Colorado Sangre de Cristo range. In the south, Mount Taylor (Tsoodzil, or "Blue Bead Mountain" or "Turquoise Mountain") rises high and majestic, north of Laguna, New Mexico. The San Francisco Peaks (Doko'oosliid, or "Abalone Shell Mountain") define the westernmost edge of Dinetah, near Flagstaff, Arizona. Mount Hesperus (Dibe Nitsaa or "Big Mountain Sheep") is the sacred mountain of the north, located in the La Plata range of the Rocky Mountains in Colorado.

The Navajo people are most closely related by language and culture to the Apache peoples of the Southwest; their language also shows a relationship to the Athabascan peoples of Alaska and Canada. Navajo religion shares many elements with the religions of nearby Pueblo peoples, and it was the Tewa Indians who first called them "Navahu," which means "the large area of cultivated land."

The extended kin group, made up of two or more families centered on a mother and her daughters, is an important unit of Navajo social organization. It is a cooperative unit of responsible leadership, bound together by ties of marriage and close family relationships. Women hold an important social position in the tribe. Religion and language are still at the core of Navajo culture. Ceremonial sand paintings are used in healing rituals for many types of physical, emotional, and social imbalances. About 80 percent of the Navajo people still speak their language, although the elderly are disturbed that fewer children attempt to practice and maintain it. During World War II, the Navajo language was used as a code to confuse the enemy. These "code talkers," although shrouded in secrecy at the time, have become heroes to the American people, thanks to a movie extolling their courage under fire. It was the only code never broken during World War II.

According to census 2000 data, 168,000 enrolled tribal members are living on the Nation's tribal lands. The rest of the population is made up of nonmembers who live and work on the reservation. Another 80,000 Navajos reside in or near the bordering towns: Farmington, Gallup, and Grants, New Mexico; Page, Flagstaff, Winslow, and Holbroook, Arizona; and Cortez, Colorado, and Blanding, Utah. Others live in small towns and metropolitan areas throughout the United States.

GOVERNMENT

The Navajo Tribal Council was first formally recognized by the federal government in 1923. The Navajo Tribe rejected the Indian Reorganization Act of 1934 (IRA) and is, therefore, not organized under that Act. Between 1936 and 1938, the Navajos attempted a Constitutional government; it was refused by the Secretary of the Interior, who cited factionalism among the tribal members as a reason for denial. The Bureau of Indian Affairs (BIA) issued federal regulations, "Rules for the Governance of the Navajo Tribal Council," in 1938, and democratic elections to the Navajo Nation Council have been held every four years since then. The rules, as amended in December 1989, are the basis for all tribal operations. The Navajo Nation, under PL-638, contracts with the Bureau of Indian Affairs to administer key programs and services.

The Nation is headed by a council, consisting of 88 members, which represents the 110 local government subdivisions (chapters) that make up the Navajo Nation. Twelve standing committees conduct business between quarterly full council sessions. Representation is also included from the Alamo, Cañoncito, and Ramah reservations in New Mexico. Each of the 110 chapters also has an elected president, a vice president, a secretary-treasurer, and a grazing committee member, serving four-year terms. All programs and projects are processed through the appropriate standing committee before submission to the Navajo Nation Council.

The Navajo Nation has a three-branch government, similar to that of the United States. The Navajo Nation Bill of Rights is similar in structure, as well, to that of the federal government. The executive branch is headed by a tribal president, chosen by popular election every four years. During the same election year, the 88 council delegates are elected. Every two years, the council elects a "speaker," who presides over all council sessions, in addition to administratively overseeing the legislative branch. The judicial branch, created April 1, 1959, is headed by a chief justice who is nominated by the president and confirmed by the council. The judicial branch consists of a Supreme Court, seven district courts, seven family courts, and traditional peacemaker courts. Peacemaker courts are alternatives to typical courtroom settings, in that these courts use traditional Navajo laws and procedures in mediation to resolve disputes. The Navajo Nation Code, a comprehensive set of written rules and laws, is enforced by the Navajo Nation Courts, which dispose of over 90,000 cases per year. Courtrooms are open only to those attorneys who are members of the Navajo Nation Bar Association.

In 1974, the Navajo Nation established the Navajo Nation Tax Commission to, in part, levy and collect taxes. Although the Commission does not levy franchise, income, personal property, or unemployment taxes, it does levy the following taxes on the Navajo Nation:

i. Possessory Interest Tax (PIT): This is a tax on the taxable value of a possessory interest granted by the Navajo Nation. A possessory interest is the right to be on Navajo land performing a particular activity. The most common forms of possessory interests are oil and gas leases, coal leases, rights-of-way, and business site leases. The Office of the Navajo Tax Commission uses common appraisal methods to place a market value on the possessory interest. Then, the tax rate of 3 percent is applied to the taxable value. Possessory interests with a taxable value of less than $100,000 are not taxed.

The PIT is assessed annually on August 1, with one-half of the payment due November 1 and the remainder due the following May 1.

ii. Business Activity Tax (BAT): This is a tax on the net source gains (gross receipts less deductions) from the sale of Navajo goods or services, with the legal incidence of the tax on the party receiving the gross receipts. The net source gains are taxed at a rate of 5 percent.

iii. Oil and Gas Severance Tax (SEV): This is a tax on the removal of oil and/or gas from any lands located within the jurisdictional territory of the Navajo Nation, regardless of ownership of such lands. The tax rate is 4 percent.

The SEV is a self-reporting tax, with monthly returns due 45 days after the end of the month.

iv. Hotel Occupancy Tax (HOT): This is a tax on the amount paid for the rental of a room in a hotel, motel, or bed and breakfast. The tax rate is 8 percent.

v. Tobacco Products Tax and Licensing Act (TOB): This is a tax on the sale of tobacco products within the Navajo Nation by a distributor or retailer. The tax rate is 40¢ per pack of cigarettes.

vi. Fuel Excise Tax (FET): The Navajo Nation Fuel Excise Tax became effective on October 1, 1999. This tax, with a rate of 18¢ per gallon, is administered in a manner similar to state gasoline taxes.

vii. Sales Tax: This tax went into effect on April 1, 2002; it replaced the Business Activity Tax for Construction. The tax rate is 3 percent of gross receipts. It is very similar to state gross receipts taxes. The tax is imposed on all sales of goods or services within the Navajo Nation.

INFRASTRUCTURE

Transportation – U.S. Highway 89 crosses the western part of the reservation running north-south, U.S. 666 runs north-south in the eastern part of the reservation, U.S. 160 crosses the northern part of the reservation from east to west, and Interstate 40 runs along the southern boundary of the reservation. In addition, there are a number of state and tribal roads connecting Navajo communities. Altogether there are more than 2,000 miles of paved roads on the reservation. Motor freight carriers serve all major reservation communities. Window Rock Airport, at Window Rock, Arizona, has a 7,000-foot lighted runway and provides charter service. Chinle Airport has a 4,800-foot unpaved landing strip. Other communities within the Navajo Nation, including Tuba City, Arizona, have unpaved landing strips. The nearest commercial airline and train services are at Gallup and Farmington, New Mexico, and Flagstaff, Winslow, Grand Canyon, and Page, Arizona.

Utilities – The Navajo Tribal Utility Authority is the major supplier of electricity, natural gas, water, and sewer services on the reservation. In a few areas, Arizona Public Service supplies electricity, and bottled gas is marketed by private companies. Dine Power Authority (DPA), a Navajo Nation enterprise, in partnership with Western Area Power Administration (Western), a power-marketing agent of the Department of Energy, has proposed the construction of the Navajo Transmission Project (NTP), a 500-kilovolt transmission line to deliver power from northwest New Mexico across northern Arizona to southern Nevada. According to DPA and Western, NTP will provide an economical source of transmission capacity that would reduce heavy loads in the region. In addition, the NTP would meet a portion of the electrical load growth projected in the area, while providing additional sources of revenues for the Nation and increase employment opportunities on the reservation.

Telecommunications – Telephone services are available from the Navajo Communications Company, doing business as the Frontier Company in 2003. It was 100 percent digital in

2003, providing Internet and wireless technologies to Nation residents. It is the largest provider of cable TV service on the reservation as well, with 4,000 subscribers.

Housing – The Navajo Housing Authority first received funding and support from the 1937 Housing Act, which permitted implementation of Mutual Help, Public Rentals, Homeownership and Section 8, and voucher programs. Under Section 184, that Act funded loan-guarantee programs as well.

In 1996, passage of the Native American Housing Assistance and Self-Determination Act made the construction of sustainable communities a reality, with appropriations amounting to an average of $91 million annually between 1998 and 2002.

COMMUNITY FACILITIES AND SERVICES

Public Safety – Law enforcement is provided throughout the reservation by the Navajo Nation Police Department. Local communities maintain community centers.

Education – Educational facilities include 57 state-supported public schools, 13 community-contracted schools, 47 Bureau of Indian Affairs schools, and a few private mission schools. There are 123 Head Start programs dotting the Navajo Nation. Higher education can be obtained at the Northland Pioneer College and at the Crownpoint Institute of Technology. The former Navajo Community College, now known as Diné College, is located at Tsaile, Arizona. The 15,000-square-foot Karigan Child Care Center, completed in September 2001, is located on 113 acres purchased from privately held Karigan Estates. It can serve up to 170 children.

Diné College, chartered by the Nation in 1968, is a four-year accredited, multicampus postsecondary public institution, integrating key cultural principles throughout various courses of study. It was the first college established by Native Americans for Native Americans, setting a precedent for future tribal development of educational facilities. The school was first fully accredited by the North Central Association (NCA) Commission on Institutions of Higher Education in 1976. The college is governed by an eight-member board of regents confirmed by the Government Services Committee of the Navajo Nation Tribal Council. In a unique collaborative partnership with Arizona State University, Diné College bestowed its first baccalaureate degrees under the Diné Teacher Education Program in 1998. In 1999, the state of Arizona amended the tax codes to allow distribution of Transaction Privilege Tax revenues collected on the Navajo Nation to Diné College. This amendment ensures that the school receives $1.75 million annually for 10 years for the institution's maintenance, renewal, and capital expenditures. With the increased revenues, Diné College plans to build new buildings at all of its Arizona campuses. Beyond the main campus at Tsaile, ("place where the stream flows into the canyon"), Arizona, there are satellite locations in Window Rock, Chinle, Ganado, Kayenta, and Tuba City, Arizona, and in Shiprock and Crownpoint, New Mexico. General education programs are offered at all campuses, and each eight years of accreditation in 2002.

In Farmington, the Navajo Preparatory School (NPS) serves over 200 Navajo and other Native American high school students. Four new dormitory buildings increased capacity at the school to 300 in the early years of the twenty-first century. The facility boasts that over 90 percent of NPS graduates enroll (and most graduate) from colleges or technical

programs throughout the United States. The school features a low faculty-to-student ratio, culturally diverse staffing, summer enrichment programs, and a plethora of quality after-school activities. In 2004, many of the buildings on the campus were/are in need of rehabilitation.

Health Care – The Navajo Area Indian Health Service (NAIHS) delivers comprehensive health services to all American Indians in portions of the states of Arizona, New Mexico, Colorado, and Utah. These services include inpatient, outpatient, and community programs in 6 hospitals, 7 clinics or health centers (some of which include emergency care), and 15 part-time health stations. The six hospitals range in size from the 32-bed Crownpoint, New Mexico, facility to the Gallup Indian Medical Center in Gallup, New Mexico, with 99 beds. The Navajo Tribe itself operates the Navajo Division of Health, created in 1977 and headquartered in Window Rock, Arizona. This agency oversees quality and guarantees that culturally acceptable health care is available and accessible to all Native Americans. The Navajo Nation also provides health-related and educational services in the areas of nutrition, aging, substance abuse, community health representative (outreach), and emergency medical services (ambulance). The NAIHS is one of 12 regional administrative units of the Indian Health Service, an agency of the U.S. Public Health Service Department of Human Health Services.

There are 12 health care centers in the region: Chinle Comprehensive Health Care Facility, Crownpoint Health Care Facility, Dizlth-Na-O-Dith-Hle, Fort Defiance Indian Hospital, Gallup Indian Medical Center, Inscription House Health Center, Kayenta Health Center, Shiprock-Northern Navajo Medical Center, Tohatchi Health Care Center, Tsaile Health Center; Tuba City Indian Medical Center, and the Winslow Health Center.

A unique feature of the NAIHS is that all staff is trained to provide cross-cultural medicine, so cultural taboos among various populations of Native Americans are avoided, and subtleties in intertribal and interpersonal relationships are honored. Care is provided in a cultural context so correct remedies may be pursued.

Section 2

Program Review
July 15, 2006

This is a 48-hour holding facility operating under the consent decree, Silver vs. Pahe, dated, November 17, 1992.

1. Funding of Operations
   The operations are funded through a combination of the PL 638 funds and those contributed by the tribe. Additional details of operations could not be determined.

   The following was reported: "Nothing is set in stone. All monies are controlled and transferred around by … he tells the supervisors where they are low… This facility requested $5,000 for food in the month of May to last through September 30th, however she cut it to $2250 to last for food to September 30th. He said they were short on budget not enough budget to take care of all inmates till September 30th…"

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for the repairs and maintenance of the facility could not be determined. A requisition is submitted for any repairs or maintenance at the facility.

3. Policies and Procedures
   The facility uses tribal policies and procedures. A combination of the tribal and BIA policies and procedures have been prepared as a draft. They will meet with someone the following Tuesday to determine the scope of work for the BIA.

4. Staffing
   There are ten full-time detention officers, six of whom are certified. One officer resigned last Friday. The offices work is rotated through four shifts; generally there are only two officers for each shift. It is very difficult to find new officers. Only tribal members or nonmembers who are married into the tribe may apply for these positions. Most who do apply fail the background test.

5. Programs
   Alcoholics Anonymous provides a weekly service every Thursday at the facility. The clergy provides church services every Sunday evening. The public health services (PHS) holds a sweat lodge service every other day. On other occasions inmates may be relieved for one to two days with a court order, to attend ceremonies.

6. Staff Training
Once an officer has been certified at the Academy, the facility does not provide any additional training off the reservation because of a shortage of staff. All off-reservation training requires approval from the tribal president. The following was reported:
"The officers do not have an opportunity to go to Artesia. The past boss was very reasonable before ... came, and used to allow officers to go to Artesia. Now ... objects and says – "not enough funding for gas and a travel vehicle." It takes a 9 hour drive to get there. They relay to Window Rock for this length of travel to share expenses. Also, if an officer is dismissed at Artesia, they cannot stay on the grounds. Other officers (from the facility) are asked to come down and pick up. Some individuals drive all the way to Artesia and bring back the dismissed officer in one continuous drive, for there is no money for stay at the motel in Artesia and the Academy will not allow them to stay at the dorms. This is a financial hardship for both officers. So they are very reluctant to request for training."

7. Space for Inmates On-Site
This is a 48-hour holding facility as decreed by the court order in 1992. But often inmates overstay. One inmate reported, pointing to article 1.1 on page 15 on the posted decree on the wall across his cell, "I was brought here on Thursday and it is already Saturday and I am still here and there will be no court until Monday. This is lot more than 48 hours. This is wrong according to the rules. Can you do something?"
There are eight male and six female beds at the facility. At the time of the visit there were 31 inmates being incarcerated. However, the detention facility booking logbook pages 68, 69 and 70 showed a total of 72 inmates who were booked in July 1, 2006 at this facility. In contrast, page 5 of the decree dated November 17, 1992 notes that the maximum number of 27 males and 4 females for a total of 31 inmates may be held at Chinle.

8. Space for Inmates Off-Site
The facility contracts out with an undetermined number of beds at the McKinley County Jail and at the Window Rock facility. And this time twelve males and two females are housed at the McKinley County Jail and nine males and two females are housed at the Window Rock facility for a total of 25 inmates that are presently being housed off-site.
The facility pays thirty-six dollars per inmate per day at the McKinley County Jail. The facility generally negotiates with the courts to have their inmates released within 30 days from the off-site facility.

9. Staffing Capacity for the Inmates On-Site
Presently there are ten detention officers and one supervisor who provide services during the day shift, swing shift, graveyard shift and relief shift.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide transportation and escort for the inmates. The detention officers use a relay method where an inmate is transported to an

intermediate point where the next relay team follows transporting the inmate to the final destination. This allows the first team to prevent using excessive duty hours for the round trip transportation of one inmate. On occasion law enforcement officials assist with the transportation of the inmates.

11. Office Supplies for Staff
There is a severe shortage of funds for the purchase of office supplies. Officers use personal funds to purchase items such as copying paper, sacks for properties from inmates, stapler, scotch tape, money envelopes, typewriter ribbon and toner for the printer. The health services provide gloves. Other entities donate janitorial supplies.

12. IT Equipment for Office Use
There is insufficient funding for IT equipment that is needed at the facility. One computer was installed recently by the IMS (Information Management Systems) using the Cody system. This system provides software for booking and release of inmates. Sometimes another computer is used to provide daily logs. Since the system often goes down manual logs are maintained for all operations at the facility. The Cody system is inoperative at Window Rock very often.

13. IT Equipment for Communications Use
The radios used for communications were issued in 2000. Batteries in the old radios have worn out and do not hold a charge. New batteries are needed for the existing radios and six additional radios with battery chargers and batteries are needed to provide communications between detention officers.

14. Personal Supplies for Inmates
There are insufficient funds to provide personal supplies for the inmates. This facility calls other facilities to provide such supplies if they are in stock and if they can afford to send such supplies. Short of that, the detention officers purchase such supplies from the personal funds. "The officers have spent up to $50 for such individual purchases. They have never been reimbursed and have stopped asking for such reimbursement. They generally go to Wal-Mart to purchase such supplies. There is no control or accountability. This has been going on for years."

15. Uniforms for Staff and Inmates
Officers have recently received a memo that they need to order uniforms up to a maximum value of $300 for each individual. There are insufficient funds to provide sufficient orange suits for the inmates.

16. Linen for Inmates
Officers do not place any orders for blankets, towels, sheets or pillowcases, all of which are running low. Inmates have complained about being cold with the blankets that were provided. Upon review of such blankets it was noted that they were threadbare with large holes. Such was the case both with the

blankets that were in use by the inmates at their bunks as well as those that have been washed, folded and ready for issue to the incoming inmates.

17. Furniture and Fixtures for Staff and Inmates
There is one picnic-bench-style institutional setup at each of the dormitories. Though there is a need for appropriate furniture for the staff, there is physically no space to accommodate such furniture.

18. Transportation Vehicles
The facility has two vans that are used for transportation. The older van has 201,419 miles and the newer van has 18,917 miles. Both vans have built-in cages.

19. Fuel for Vehicles
There are not enough funds to purchase fuel for the vehicles. Mileage restrictions have been placed because of lack of funding. This has caused a financial hardship to the facility to comply with the requirements of the consent decree as it pertains to the number of inmates that can be held on-site.

20. Utilities for Facility
Electricity and gas utilities are paid by the tribe at the district level. Expenses for the utility are prorated between law enforcement and detention who share the building. Last month, the share for detention for the utilities was $2000 for the month.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is hot and cold water for the kitchen and showers. Even though hot water is provided at the laundry, the washer is incapable of using hot water. The plumbing system dates back to 1959 when this facility was built. A cosmetic upgrade with new sink/toilet combination units was provided in 1999 but the original plumbing system behind the walls and underground is 46 years old and in disrepair.

22. Adequate Lighting for Inmate and Staff Areas
There is sufficient lighting for the staff and inmate areas.
Fixtures were upgraded in 1999. There are no night-lights in the housing unit. Battery-backed emergency lighting is provided.

23. Ongoing Repairs and Maintenance
Response to the repairs and maintenance is very poor. The same repair team services the entire Navajo Nation. As such they are late in responding to the routine requirements for repairs and maintenance.

24. Deferred Repairs and Maintenance

The building has deteriorated for lack of appropriate repairs and maintenance at the facility. The following deferred repairs and maintenance are needed:

1) Remove and replace the HVAC system including all units, distribution ductwork and controls.
2) Provide a separate HVAC unit distribution ductwork and controls for the kitchen.
3) Provide a new roof.
4) Replace old underground plumbing and sanitation sewers.
5) Replace sixteen sink/toilet combination units with new units.
6) Replace eight shower stall units with new showerheads, mixing valves and shower enclosure units.
7) Provide new windows for the kitchen.
8) Provide a restroom for the use by kitchen staff.
9) Provide new electrical distribution.
10) Provide separate detoxification cell for the females.
11) Provide a new booking space away from the central control station.
12) Provide an appropriate central control station.
13) Provide a complete intercom system.
14) Provide a complete camera system for 36 cameras and a central camera control console at the central control station.
15) Provide lead abatement for all existing interior paint. Repaint all interiors.
16) Provide new flooring for office space. Refinish all flooring in the housing unit.
17) Provide provisions for handicapped staff inmates and visitors.
18) Stabilize all foundations for the building.

25. Medical Response at the Facility

A first-aid kit is provided at the central control station. An IHS clinic serves the community. Any EMT from the IHS can respond within five minutes if he or she is not busy. The inmates are not tested for tuberculosis, HIV or hepatitis. There is no screening for STD. Confidentiality of medical information prevents the IHS from disclosing any existing medical conditions of the inmates. Thus detention officers and other inmates may be exposed to diseases carried by an inmate.

26. Booking Process at the Facility

The booking process is very poor. Booking is conducted through a window in the corridor and at the counter top of the central control station. There is no physical barrier between the inmate and the detention officer at the countertop. There is a partial plexiglass barrier at the corridor window. There is no recording camera to record the process of booking. The Cody booking software that is loaded on the computers is generally not available and therefore not used at all by the detention officers. There is no space available to provide fingerprinting or crosschecks on the past history of the inmate. The common countertop at the central console that serves for booking also provides storage space below for janitorial supplies, medical supplies, medicines and personal

hygiene supplies for the inmates. There is constant foot traffic around this countertop at the central control station.

27. Food Service at the Facility
A small kitchen serves the facility. There is insufficient room for all of the dry storage and refrigerators. There is no restroom for the use of kitchen staff at the facility. The kitchen has poor air circulation and is generally hot and stuffy. Circulation fans are used and windows are kept open for ventilation. Kitchen knives are kept in an unlocked cabinet drawer in the cook's office. The cook's office has a marginal lock on the door. Other utensils are stored by hanging on racks in the kitchen. Grease is collected in coffee cans. The kitchen hood fire suppression system and fire extinguishers are inspected annually and were within the inspection time period as indicated by the inspection tags. All doors in the kitchen area have marginal locks and the exterior door leading from the kitchen corridor to the exterior needs repairs so it can be securely shut and locked.

28. Dining Staff at the Facility
One cook and two food handlers provide all the staff services at the kitchen.

29. Housekeeping Staff at the Facility
Detention officers provide all housekeeping other than in the inmate housing area. Trustees are not permitted in the kitchen.

30. Repairs and Maintenance Staff at the Facility
A team of seven to eight individuals at the Navajo Nation's main office at Fort Defiance provide repairs and maintenance services for the entire nation. One individual is assigned to this specific area. He is often slow in responding, considering the number of facilities that he has to respond to even in a local area.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility. Inmates are sent to take specific classes off-site such as at Window Rock, if the judge orders them as such.

32. Healthcare Assistance in the Community
The Indian Health Services Community Healthcare Center provides such services.

33. Other Support Agencies in the Community
There is a behavioral health service that serves the community.

34. General Reasons for Detention
Lately most of the incarceration is related to violent crime resulting from the abuse of methamphetamines. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates could harm themselves with articles of clothing such as socks, underwear and T-shirts. Accessible items within the facility that lend to supporting weight are the steel bars around the dormitory and corner posts of bunk beds. There has been one successful suicide attempt in the past 20 years where an inmate hanged himself with a T-shirt.

36. Accountability and Reporting of Incidents
All incident reports are sent to someone at the Navajo Nation and the BIA.

DRAFT

Section 3

Facility Review
July 15, 2006

This is a 48-hour holding facility based on the consent decree, Silver vs. Pahe, dated, November 17, 1992.

1. Exterior Site Conditions
   Exterior conditions at the facility are fairly poor. The general public has access through the unsecured and constantly open fence gates all around the building.

2. Exterior Exercise/Recreation Area
   The exterior exercise/recreation area has been abandoned and is being currently used to store evidence. Remains of three old vehicles are being stored, as evidence for the federal prosecutors. It appears that the exercise yard has not been used in many years.

3. Exterior Perimeter Security
   The exterior perimeter security is very poor. There are no cameras at the front entrance. One camera on the building monitors the movement of inmates as they are escorted from the detention facility to the court nearby, while the other camera monitors the Sally port door. The doors themselves are left open. This includes the exterior doors of the jail cell dormitory building. The two gates at the chain-link fence and all four doors into the detention facility were found open. The razor wire along the perimeter of the roof was found bent and broken with carpet remnants strung over them at two locations above the kitchen exterior door.

4. Sally Port Security
   There is no Sally port. And exterior side door to the building is used as an entrance to escort the inmates into the facility and up to the booking location in the corridor.

5. Building Interior Security
   The interior security of the building is very poor. Sixteen cameras monitor the building, three of which are located outside. The monitors are located high, up and away from the peripheral vision of the detention officers working in the central control room at their desk or at the countertop. The resolution on the monitors is very poor. Identity of inmates cannot be clearly determined on the monitors. There are several blind spots that the cameras do not monitor. The kitchen window is left open. The exterior doors on the perimeter at the dormitory, kitchen, the Sally port and the front entrance are all left open – primarily for ventilation. The general public can walk in and the inmates can

walk out through any of these open doors and on through the open gates at the chain-link fence.

6. Building Structure
The building is a slab-on-grade brick structure built 45 years ago. The foundation is settling. The interiors are in disrepair.

7. Building Roof
The building is a flat roof with metal sidings and razor wire around some of the perimeter. There have been occasional leaks that have been repaired.

8. Interior Ceilings
Generally the ceilings consist of glued-on tile on sheetrock for most of the offices and non-housing space. Sheets of concrete tiles are used in the housing area. Peeling paint was noticed at several locations including that at and around piping insulation.

9. Interior Walls
Generally the walls are of block-wall construction in the housing area and wood framing and wood paneling for interior office walls.

10. Interior Flooring
Flooring consists of vinyl tiles on concrete floors in the offices and painted slab in the housing area. Most of the floor both in the offices and in the housing area is in disrepair and extremely worn out.

11. Interior Dormitory Cells
Interior dormitory cells consist of steel bars with steel cross-members. Each dormitory contains a separate space with an institutional table and a bench that serves as a dining area. Based on the logbook entry pages 68, 69 and 70 there were 72 inmates that were booked on July 1, 2006. This month had a high of 60 inmates at the facility. At Fair-time August 2005, the maximum number of inmates booked was 300 within a 24-hour period. It is very hot and stuffy with little or no air circulation. One small circuiting fan provides little relief.

12. Interior Isolation Cells
There is one male and one female isolation cell. Each isolation cell is capable of holding one inmate only. The female isolation cell is also used as the female detoxification cell since there is no separate detoxification cell for the females.

13. Interior Detoxification Cells
There is only one detoxification cell with a capacity of 18 inmates. During Fair-time August 2005, there were so many inmates in the detoxification cell that there was no place for the inmates to sit down; everyone was standing.

14. Booking and Intake Area
There is no specific booking and intake area. Booking is conducted at the window in the corridor and at the countertop at the central control station.

There is no recording camera and there is no operating booking software. The corridor is blocked during the booking process. An inmate shower in the corridor that was used at one time by incoming inmates has been abandoned and is used as a janitor's closet.

15. Visitation Area
There are four stand-up visitation stations with no direct visual contact between the visitor and the inmates. Visitors and inmates shout through a small 4" x 6" screen to make themselves heard.

16. Kitchen, Food Preparation and Pantry Area
A very small kitchen, food prep and pantry area serves the facility. There is no restroom for the use of kitchen staff. The exterior door from the kitchen and the kitchen window are constantly left open to allow for ventilation. There is no walk-in refrigerator or dishwasher. The excessive grease from cooking is collected in a coffee can.

17. Dining Area
There is no specific and dining area for the inmates. All inmates eat in the dormitory or in the cells.

18. Day Room Area
There is no day room to the facility. A radio is provided in the space between the exterior wall and the dormitory walls.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific first aid and medical assistance area at the facility. A first-aid kit is provided at the central control station.

21. Toilets and Showers
Because of the long-term neglect in repairs and maintenance at the facility and because of the hard water in the area, all of the plumbing systems have been encrusted with salts. Replacement parts are not available for the combination sink-toilet units, all of which need to be replaced.

22. HVAC System
The HVAC system does not provide heating ventilation or air-conditioning. No cooling units are in use. Minimal heating is provided by baseboard heaters and a small furnace. Spaces are either very hot or very cold. There is very poor air circulation. Almost every space has a small air circulation fan. All exterior doors are kept open most of the time to allow for air circulation and this compromises security at the facility.

DRAFT

23. Plumbing System
The plumbing system is in disrepair with neglect over the past 45 years. Aboveground piping and fixtures were changed in 1999 but they have fallen into disrepair since then.

24. Lighting System
Lighting level is very low. Lenses of light fixtures are broken and in disrepair. The light fixtures are not vandal resistant. There are no night-lights provided in the housing area.

25. Electrical Power System
There is an overhead 400 amp – 120/240 V, single phase 3 wire system that was installed in 1959. The electrical distribution system does not provide the capacity and distribution needed for all the electrical appliances and equipment that are presently in use. All electrical panel boards are in disrepair. A 15 KW backup generator provides electrical power in an emergency. There were no testing logs available to ensure that the system is tested regularly. It is unknown if this generator is operated on a weekly basis or tested with the full load on a monthly basis.

26. IT System
The facility has the use of a few old computers.

27. Security System
The building has a 16-camera system with monitors that have very poor resolution and are located in areas that do not facilitate viewing by the detention officer. The camera system has several blind spots and does not monitor all spaces appropriately. There are no recording cameras and the cameras that are there cannot zoom in, pan or tilt. All locks for all the housing unit and the remainder of the facility are of the mechanical type. Only one set of keys is carried by the officer on duty. The mechanical door operators and the lock tumblers are lubricated on an annual basis.

28. Energy Usage and Conservation
There is no awareness of energy conservation at this facility. Doors are kept open most of the time to facilitate ventilation. As the building has settled, the door jams for the exterior doors have skewed and are not square with the hanging door. Thus they are difficult to close and are often left open.

29. Fire Egress – Exterior and/or Secured Areas
All exterior doors to the facility are constantly kept open. Thus the facility can be evacuated within three minutes. However, there is no secured space away from the building to evacuate the inmates in an emergency. The exercise/recreation yard has been abandoned and is now used for the storage of evidence, which at this time includes a few old cars being stored for the federal prosecutor. A fire egress door was installed in the exterior wall near the kitchen to permit evacuation of inmates in an emergency. This door cannot be opened

even if unlocked, for it has been blocked by drifting sand that has solidified with moisture and sand over the years.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a basic fire alarm. There are fire extinguishers. Both systems are tested on an annual basis. There is no sprinkler system.

31. Building Access for Staff and Inmates
The general public and staff use the front entrance. Inmates are escorted in through the side door which serves as the Sally port.

32. Hazardous Materials
There is reason to believe that there is asbestos and lead paint in the building that have not been abated. There are no records of abatement for lead paint or asbestos at the facility. Several areas of peeling paint were noticed at the ceiling and around piping insulation.

33. Handicap Access for Staff and Inmates
There are no provisions at this facility for staff, visitors or inmates who are handicapped.

34. Potentially Hazardous Elements
Inmates could use articles of clothing to harm themselves. There are a number of steel cross members and bars throughout the facility that could be used to support the weight. There are holes in the metal steel pans of the bunk beds – all of which could be used by the inmates to harm themselves.

DRAFT

Section 1

Background Information
of the
Navajo Reservation
Served by the Chinle Youth Correctional Facility

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review
July 16, 2006

1. Funding of Operations
   The funding of operations could not be determined. There are chronic delays of up to nine months in receiving the actual funding for the operations of facilities. These delays affect the quality of operations.

2. Funding of Repairs and Maintenance of Facility Structure
   The funding of repairs and maintenance of the facility could not be determined. The Bureau of Indian Affairs owns the building but it is leased and operated by the Navajo Nation through the PL 638 program. The delays in receiving funding for the repairs and maintenance affect the quality of operations.

3. Policies and Procedures
   The facility has been working for the last three to four years in developing its policies and procedures. Information at this time has not been turned in to the Department of Justice at the Navajo Nation. The facility is requesting help in creating policies and procedures for this site.

4. Staffing
   There are 25 full-time detention officers at this facility. Of these, 15 are certified officers and the remaining have been hired recently and are awaiting certification. The passing rate of new individuals for the certification at the Academy is approximately 40%.
   In addition, there are four individuals who serve in the food service department, three individuals who provide maintenance and three individuals who provide administrative functions.
   There are generally three officers on duty, with four or five officers on occasion. Presently the staff to inmate ratio is 1:5.

5. Programs
The facility provides education in a conventional classroom setting. An educational specialist works for the inmates on a long-term setting. PLATO software is used. The facility provides a computer lab, a library for discussion groups and traditional classrooms. The facility also provides traditional counseling and the ODY program for the youth. The facility provides religious services through the visiting clergy. A sweat lodge is under construction at this time.

6. Staff Training
The facility is awaiting certification of 10 detention officers that were recently hired. The facility believes that training in Artesia is excellent except that it is not held in a tribal setting and does not take tribal considerations into account in planning and executing its training for detention officers who will serve on tribal lands.

7. Space for Inmates On-Site
There are 50 beds that are available on-site. The average population is about 25 inmates. The peak load at this facility has been 30 inmates. The facility is working out a memorandum of understanding with other tribes such as the Ute, Apache and Hopi to accept their inmate youth at this facility. The youngest inmate housed at this facility was nine years old.

8. Space for Inmates Off-Site
The facility does not contract out any space off-site. Rather, it is interested in accepting youth from other facilities. The only other youth detention facility on the Navajo Nation is the Tohatchi Youth Detention Facility.

9. Staffing Capacity for the Inmates On-Site
There is insufficient staffing for the number of inmates at this facility. Staffing for youth is more intensive and the facility expects to have a staff to inmate ratio of 1:3.

10. Staffing Capacity for Transportation and Escort for Inmates
Detention officers provide the transportation and escort for the inmates. Rovers have been designated and are generally on a call-in basis. Distances to the Window Rock facility and the Remah facilities are large, and use up one whole day for the transportation of one inmate.

11. Office Supplies for Staff
The facility is always short on office supplies. The Department has slashed the budget. Personal funds are now being used to provide office supplies. Individuals have used up to $50 of their own funds to provide office supplies for routine operations at the facility.

12. IT Equipment for Office Use
The facility uses old but serviceable IT equipment at this time. The facility needs additional workstations. The Cody software system has not been set up at this time at this facility. The Cody system servers at the Navajo Nation headquarters are often inoperative and inaccessible to the satellite units in the Nation.

13. IT Equipment for Communications Use
The intercommunication system is inoperative at this time at this facility. Officers use radio communications. Ten additional Motorola mode EX 600 - XLS with the push-to-talk switch are needed.

14. Personal Supplies for Inmates
There is insufficient funding for personal supplies for the inmates at this facility. Purchase requests have been pending for six months with no relief in sight.

15. Uniforms for Staff and Inmates
The uniforms for the inmates need to be replaced once every two to three years. Staff needs uniforms replaced at least once a year. Neither of these needs is being met at this facility at this time for lack of funding.

16. Linen for Inmates
Worn-out blankets have been put aside. However, 40 new blankets are needed for the upcoming winter. There are sufficient mattresses for the use of the inmates.

17. Furniture and Fixtures for Staff and Inmates
There are insufficient chairs for the staff. Twenty-five office chairs are needed for the staff and eighty metal chairs are needed to conduct training in the multipurpose room at the facility. Appropriate institutional seating is needed for the inmates.

18. Transportation Vehicles
The facility uses three transport vans, one 4x4 pickup truck and one sedan for its routine operations. On average each of these vehicles has operated 125,000 miles at this time. As these vehicles are worn-out over the next 12 months, two additional transport vehicles will be needed to meet the present demands. The facility needs one full-size transportation van with appropriate metal cage for the transportation of inmates and one 2 x 4 pickup truck that is needed for the routine repairs and maintenance.

19. Fuel for Vehicles
The facility lacks funding for the purchase of fuel. The Navajo Nation has placed restrictions on mileage that is permissible for the operations of all vehicles.

20. Utilities for Facility
There is sufficient funding for utilities at the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water for the kitchen and laundry and showers. One of the two boilers has aged prematurely as a result of using untreated hard water. It needs replacement in the next 12 months.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the staff and inmate areas throughout the facility.

23. Ongoing Repairs and Maintenance
There is insufficient funding for routine repairs and maintenance. Purchase requisitions have been pending for over six months. Very often quotations from suppliers are good for 30 days during which time such repairs cannot be funded for lack of funds. Repeated quotations from suppliers often escalate as the facility waits for the funding to come through. The staff at the facility could not determine the reason for such delays and lack of funds.

24. Deferred Repairs and Maintenance
The building has been neglected ever since it was built in 1998. Deferred repairs and maintenance now include:

1) Replace the existing intercom system with a new system that includes the master communication panel and hardware for 80 stations throughout the facility. Each intercom station is capable of transmitting and receiving written manual overrides for such functions.
2) Repair individual low-voltage switching modules at each of the doors for 30 doors. Provide controls at the central control station.
3) Relocate the compressors for the walk-in coolers from the kitchen plenum glaciated area on the roof.
4) Provide a new booster-heater for the commercial dishwasher in the kitchen.
5) Provide two door-operators on each of the rollup door at the Sally port. Provide new limit switches and interlock control wiring.
6) Repair the HVAC unit in the multipurpose room to prevent vibration and noise.
7) Provide a new commercial washer for the laundry to meet the present demands.
8) Provide additional storage of approximately 50 sq. ft for each laundry rooms in each of the three pods.
9) Provide additional storage of approximately 100 sq. ft. with two-hour fire-rated walls to store flammable chemicals.
10) Provide an exit through the courtyard to serve as a path of egress during an emergency. Provide a fenced and secure enclosure outside and 50 feet away from the building walls to securely stage 70 inmates and staff during an emergency.

11) Provide a new water softening system for the facility.
12) Provide a workshop space of approximately 200 sq. ft. for small repairs and maintenance at the facility.
13) Provide 3 additional water fountains, one at the recreational yard two at the remote pods by the control stations.
14) Provide a sliding cover plate at each of the keyhole/locks for each of the exterior doors to prevent blowing sand from entering the keyholes. Repair and lubricate all tumblers at all exterior doors.
15) Repair the oven/range in the kitchen.
16) Repair the deep fryer unit in the kitchen.
17) Repair the overhead exhaust fan in the hood in the kitchen.
18) Repair the inoperative fire suppression Ansul™ system.
19) Provide refrigerant servicing to the air-conditioning unit that serves the kitchen.
20) Provide a new reach-in cooler that can maintain a 40°F or below temperature.
21) Add window barriers and countertop at the booking window.
22) Stabilize the sinking foundations of the building.

25. Medical Response at the Facility

The facility provides basic regular medical response at the facility. EMTs are called in for an emergency. Every Monday and Wednesday a registered nurse comes in to provide routine medical services to the inmates. This includes STD testing. The staff is aware of a need to provide testing for TB, HIV and hepatitis but no such testing is conducted at the facility. There is a shortage of medical supplies at the facility. The local IHS has requested that the practice of supplying medical supplies to the facility be curtailed. However, there are no funds to support this function at the facility. The facility requires a medical clearance for acceptance into incarceration at the facility.

26. Booking Process at the Facility

The booking process is inadequate. Inmates are escorted from the Sally port to the detention control station. There are wide openings between the lower section of the booking officer window and the inmate. Inmates spit at the booking officers. There is insufficient space for the booking officer, arresting officer and the inmate since the booking is conducted in the walkway surrounding the control station.

27. Food Service at the Facility

The facility runs out of food very often. There is insufficient funding for food for the inmates at the facility. Roughly $1200 is allocated per month for food which would support about 12 inmates or less on average. However, the facility has an inmate population of 25 inmates on average. As such the routine menus are not adhered to. "It is a gross exaggeration when the facility reports that the inmates are provided with 2300 calories of food per day" as reported by the staff. "Food is actually being diluted with sauces and carbohydrates so it could be stretched to serve all inmates."

"Carbohydrates and fats are fed excessively including to diabetics. One inmate lost 9 pounds in a month at this facility."

28. Kitchen and Dining Staff at the Facility
There are three food handlers and one food services coordinator for a total of four staff members at the facility. These individuals provide all of the meals at the facility.

29. Housekeeping Staff at the Facility
The custodian provides all the housekeeping at the facility.

30. Repairs and Maintenance Staff at the Facility
Two individuals provide full-time repairs and maintenance at this facility.

31. Inmate Services Provided at the Facility
The facility provides education services through the Internet using the Plato educational software. The facility provides a computer lab, a library for discussion groups and traditional classrooms.

32. Healthcare Assistance in the Community
The community provides public health services and behavioral health services.

33. Other Support Agencies in the Community
The community provides the services of a 'Chapa House' and an 'Adabi' – home for the domestically abused.

34. General Reasons for Detention
Most of the incarceration is related to property crime and violent crime resulting from the abuse of methamphetamines. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Articles of clothing are used by the inmates to harm themselves. In one such incident an inmate used a pillowcase around his neck. The inmate died at the hospital.

36. Accountability and Reporting of Incidents
Incidents are reported through the administrative hierarchy of the Department of Justice at the Navajo Nation.

Section 3
Facility Review
July 16, 2006

1. Exterior Site Conditions
The exterior site conditions are poor. The site is located on eight acres with two perimeter fences. The general public has access up to the facility.

2. Exterior Exercise/Recreation Area
The exterior exercise and recreation area is located in an inner courtyard that is surrounded by the physical structure of the facility. This courtyard is a fire trap for there's no appropriate egress and inmates could be trapped in their pods on the far side. This courtyard does not provide sufficient space or distance to serve as a staging area for evacuating inmates in an emergency.

3. Exterior Perimeter Security
The exterior perimeter security is poor. The outer fence topped with razor wire lacks about 750 feet of fencing to complete the perimeter. The sliding gate in the fence is constantly open. There are no cameras to monitor the gate. One inmate escaped by simply walking away. Work is underway to provide electrical connections to a proposed guard shack near the gate. There are insufficient cameras to provide viewing of the entire perimeter. There are several blind spots and building protuberances that are detrimental to unobstructed views by camera. There is a need for 20 additional cameras with 3 recording cameras to support the 36 cameras already on site. A central console for a 64-camera system that is compatible with the existing cameras is needed. Relocate all existing cameras to provide appropriate coverage.

4. Sally Port Security
The Sally port is an enclosed structure with two rollup doors. One of the rollup doors cannot be opened for lack of appropriate door operators. The cameras have poor resolution and cannot view blind spots close to the entry door to the building.

5. Building Interior Security
They are insufficient cameras with several blind spots in the building interiors. Blowing sand in the keyhole mechanism of several keyed locks in the courtyard and building exteriors has made several locks difficult to operate. In case of an emergency, inmates cannot be evacuated in three minutes from the building.

6. Building Structure
The building is settling down at a rate of about three to four inches in seven years or about one-half inch per year. There are signs of such settlement as the building sinks and the adjoining concrete slabs are lifted up. Concrete has to be chipped at every exterior door to allow for it to open. The sinking is also evident at the concrete foundations for each of the lighting poles in the courtyard. It is unknown why this building is experiencing such rapid settlement. It may be speculated that: 1) The soil was not compacted well enough for the weight that it had to support. 2) The geotechnical analysis and soil testing were insufficient or inaccurate. 3) Foundation design was inappropriate for the type of soil. 4) There were inappropriate construction techniques, final testing and acceptance of the project. or 5) There are other geological phenomena that may have caused underlying soils to move below the foundation. The phenomena need attention. Note that other buildings in the area have also experienced settling. However, these buildings were lighter and single-story structures. They experienced settling of about one-half inch in 30 to 40 years.

7. Building Roof
The building consists of pitched and flat roof structures. Most of the flat roofs have been leaking. The sunroom atrium at the lobby is leaking at the attachment to the building structure.

8. Interior Ceilings
The interior ceilings consists of lay-in ceilings in the office areas, drywall ceilings in kitchen and pantry areas, concrete paneled ceilings in the inmate housing area and sloped gypboard ceilings in the day room area of each pod. A lightning strike in the past damaged one of the high celestial windows in the day room, as lightning traversed through the sloped ceiling to the ground.

9. Interior Walls
Generally all walls within the facility are of block-wall construction.

10. Interior Flooring
Generally the flooring consists of vinyl tile and vinyl sheeting on concrete slab. Carpeting is provided in the offices. The detention central control room and the individual pod control rooms have raised flooring.

11. Interior Dormitory Cells
There are no interior dormitories at this facility. The entire facility consists of 50 individual cells.

12. Interior Isolation Cells
There are four cells specially designated for segregation or detoxification. The cells provide only a sink/toilet combination unit and do not have any institutional furniture.

13. Interior Detoxification Cells
The detoxification cells provide only a sink/toilet combination unit and do not have any institutional furniture. Walls are not padded. The plumbing drains from the cells have a very shallow pitch that makes it very difficult to flush the solid waste from the floor drain.

14. Booking and Intake Area
The booking area is poorly designed for the use. Inmates are in close proximity to the detention officers. The windows of the countertop have large openings. There is a need for recording cameras at each of the three detention control stations within the facility.

15. Visitation Area
The visitation area is appropriate for its use. The visitor can see the inmate and communicate through an intercom handset.

16. Kitchen, Food Preparation and Pantry Area
The kitchen food preparation and pantry area are adequate except for those items that have been mentioned in the listing of deferred repairs and maintenance items.

17. Dining Area
The multipurpose room/gymnasium serves as a dining area with females on the one side and males on the other side.

18. Day Room Area
There are two day rooms for each of the four pods, for a total of eight day rooms. The day rooms are used as an extension of the classrooms. One of the day rooms has a television set connected to a dish network satellite antenna.

19. Vocational Training Area
The facility has educational classrooms, a computer lab with 10 computer stations, art rooms with physical space to create artwork, a library with donated books and a Plato software system to provide educational material through the Internet.

20. First Aid and Medical Assistance Area
The facility has a medical exam room which provides first aid and other medical assistance to the inmates. The facility is often short on medical supplies for lack of funds.

21. Toilets and Showers
The toilets and showers are in disrepair. The plumbing lines are clogged up with accumulated salts because of hard water. The water softening system has not been used for lack of funds to buy necessary supplies and maintain it. Six combination toilet/sink units need to be replaced.

22. HVAC System
There is a total of ten heat pump units on the rooftops. Five of these units have been shut down because of a lack of refrigerant. Work orders have been placed for these repairs. Air distribution is very poor. Areas are either too hot or too cold. A complete air balance is needed once all the heat pumps are functional.

23. Plumbing System
The plumbing system is in disrepair. The food service area needs to be cleaned out. A lift station needs to be installed.

24. Lighting System
Generally lighting is adequate within the facility. There is a need for emergency lighting and duplex receptacles in the Sally port by each of the rollup doors. There is a need for six exterior wall-mounted wall-pack lighting units with cold weather ballasts and four high bay mounted gymnasium light fixtures.

25. Electrical Power System
The facility is served with a 1000 amp 480 Y/277 volt , three phase four wire system. Part of this service is transformed to 208 Y/120 volt through a 300 KVA transformer. A natural gas operated 115 KW generator serves as an emergency backup. The generator need to be exercised once per week in addition to a full load test of once per month. All such operations need to be logged. The facility also provides uninterruptible power supply through a 50 KVA UPS unit. A lightning suppression system is provided on the building. These electrical services are adequate for the building.

26. IT System
The IT system for the facility is adequate.

27. Security System
The facility does not have an appropriate security system. There is a need to relocate all existing 36 cameras and add 20 additional cameras with a new camera console for 64 cameras.
All of the keyed locks on exterior doors need to be repaired and replaced; in addition, the lock tumblers and keyholes need to be protected from the blowing sand. Covers need to be placed on all such locks.

28. Energy Usage and Conservation
The facility uses energy-efficient fluorescent lighting fixtures that include T8 and PL lamps for all interior lighting. The facility also uses high-pressure sodium lamps for exterior lighting.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is fairly poor at this time. In an emergency, it will take more than 40 minutes (instead of 3 minutes) to evacuate all of the inmates. Inmates

who are housed away from the exterior doors, on the other side of the inner courtyard will get trapped. Additional fire egress needs to be provided.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system at the facility. Appropriate fire extinguishers are located throughout the facility and there is a fire sprinkler system at the facility. Routine testing records for such systems could not be determined. The detention officers reported that the systems are tested every six months the last test being conducted in November 2005.

31. Building Access for Staff and Inmates
All inmates are escorted through the Sally port. All staff uses the main entrance through the lobby to ingress and egress the building.

32. Hazardous Materials
There is no known hazardous material such as asbestos or lead paint at the facility.

33. Handicap Access for Staff and Inmates
There is no access ramp at the facility for handicapped visitors, staff or inmates. There is no handicap-accessible restroom for male visitors at the facility. There are four cells that provide toilets accessible to handicapped inmates. There are two showers that provide access to handicapped inmates.

34. Potentially Hazardous Elements
One of the cells across from the central control station has an exterior door that opens into the Sally port. The door has hardware that includes a door handle. This provides an opportunity for an inmate to hang himself.

DRAFT

Section 1

Background Information
of the
Navajo Reservation
Served by the Dilkon Detention Center

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review
July 17, 2006

1. Funding of Operations
   The salaries for law enforcement and detention operations are funded by the PL 638 program. The remaining general funds are provided by the tribal program.

2. Funding of Repairs and Maintenance of Facility Structure
   Tribal funding provides for the repairs and maintenance of the facility.

3. Policies and Procedures
   The policies and procedures for law enforcement are a set of rules and regulations that include the general orders rules and regulations for public safety of the Navajo Nation. There are no specific policies and procedures for detention.

4. Staffing
   There are 22 law enforcement officers who provide services rotated over four shifts. There is no specific detention officer or staff that serves the detention needs of the facility. The facility is actively recruiting for additional officers but it is difficult to find qualified individuals. In addition, the low wages and lack of appropriate benefits and retirement plans are detrimental for such recruiting efforts. Recruitment is open to individuals from any other agencies and other nations.

5. Programs
   There are no programs for the benefit of the inmates.

6. Staff Training
   There is no continuing training for the law enforcement staff.

7. Space for Inmates On-Site
   Space for the inmates is limited on-site. Two chairs are available inside a cage. The steel bench with welded anchors and handcuffs provides additional seating for the inmates. On average there are three arrests per shift and about five to seven arrests per shift during the first part of the month. There are about 20 arrests per day for intoxication. There is a tribal court in the vicinity. It could not be determined if the inmates are held overnight at the facility.

8. Space for Inmates Off-Site
   Inmates are sent to the Window Rock Detention Facility.

9. Staffing Capacity for the Inmates On-Site
   There are no staff or detention officers to serve the inmates on-site.

10. Staffing Capacity for Transportation and Escort for Inmates
    Law enforcement officers provide the transportation and escort of inmates to other facilities.

11. Office Supplies for Staff
    Office supplies for the staff are insufficient.

12. IT Equipment for Office Use
    There are five separate computers that are used by law enforcement. The Cody system software is available at one of the computers.

13. IT Equipment for Communications Use
    Not applicable.

14. Personal Supplies for Inmates
    Not applicable.

15. Uniforms for Staff and Inmates
    Not applicable.

16. Linen for Inmates
    Not applicable.

17. Furniture and Fixtures for Staff and Inmates
    Not applicable.

18. Transportation Vehicles
    Not applicable.

19. Fuel for Vehicles
    Not applicable.

DRAFT

20. Utilities for Facility
Not applicable.

21. Hot and Cold Water for Kitchen, Laundry and Showers
Not applicable.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance.

24. Deferred Repairs and Maintenance
Entrance steps need repair. Electrical service entrance panelboard upgrade and complete electrical distribution upgrade is needed at this time.
The double-wide trailer is about thirteen years old. The trailer has a physical functional remaining life of five years at which time it will need to be replaced. However, at this time the trailer does not meet the program's functional requirements of law enforcement and needs to be replaced.

25. Medical Response at the Facility
Inmates are transported to a medical facility in Tuba City or Window Rock about one hundred miles away.

26. Booking Process at the Facility
Inmates are escorted in through the side door. Booking is conducted in the work area designated for law enforcement officers.

27. Food Service at the Facility
There is a refrigerator at the facility.

28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff at the facility.

29. Housekeeping Staff at the Facility
There is no housekeeping staff at the facility.

30. Repairs and Maintenance Staff at the Facility
There are no repairs or maintenance staff at the facility. Upon request the tribal maintenance staff responds to such needs.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
There are no healthcare services in the community. An IHS clinic is planned for the future.

33. Other Support Agencies in the Community
There are no support agencies in the community.

34. General Reasons for Detention
Dilkon is a rapidly growing community, which has also brought an increase in the crime rate. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
There is little that the inmate can do in the cage except hurt himself by hurling against the two chairs.

36. Accountability and Reporting of Incidents
Incidents are reported to the tribal Department of Justice.

DRAFT

Section 3

Facility Review
July 17, 2006

The detention facility is a "custom-built cage with security mesh walls" located on one end of a double-wide trailer that is used by law enforcement. Two chairs are located inside the cage. The cage is about 4 feet wide, 5 feet long and 6 feet high. A custom-made steel bench adjacent to the cage serves as additional seating for use by inmates. The bench is equipped with welded anchors and permanently anchored handcuffs reminiscent of the medieval ages. The double-wide trailers are 26' x 60' or 1560 sq. ft. and are expected to serve the needs for all law enforcement in the Dilkon district.

1. Exterior Site Conditions
   The exterior site conditions for the facility are very poor. The site is located in an area that is accessible by the general public.

2. Exterior Exercise/Recreation Area
   There is no exercise or recreation area provided for the inmates.

3. Exterior Perimeter Security
   There is no exterior perimeter security other than three cameras that do not work and/or cannot be monitored at the dispatch and/or detention control center.

4. Sally Port Security
   A camera monitors the side entrance to the trailer which is used as the Sally port entrance.

5. Building Interior Security
   There is no security inside the trailer.

6. Building Structure
   The building is a 13-year-old double-wide trailer with wood-framed walls and poor flooring and roof.

7. Building Roof
   The building roof is adequate. There have been no reported leaks.

8. Interior Ceilings
   Interior ceilings consist of lay-in vinyl sheeting.

9. Interior Walls
Interior walls consist of 3-inch wood-framed partitions with wood paneling.

10. Interior Flooring
Interior flooring consists of vinyl tile and carpeting. The detention cage is carpeted.

11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.

12. Interior Isolation Cells
There are no interior isolation cells at the facility.

13. Interior Detoxification Cells
There are no interior detoxification cells at the facility.

14. Booking and Intake Area
The booking and intake area is inadequate. Booking is conducted in a work area used by law enforcement officers.

15. Visitation Area
There is no visitation area for the inmates at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.

17. Dining Area
There is no dining area for the inmates at the facility.

18. Day Room Area
There is no day room area for the inmates at the facility.

19. Vocational Training Area
There is no vocational training area for the inmates at the facility.

20. First Aid and Medical Assistance Area
There is no first aid or medical assistance area for the inmates at the facility. A first-aid kit is available at the dispatch.

21. Toilets and Showers
A staff toilet and shower are provided for use by the inmates.

22. HVAC System
The HVAC system consists of two Bard unit heat pumps located at either end of the double-wide trailer. This provides sufficient heating and cooling to the interior space.

23. Plumbing System
The plumbing system is adequate.

24. Lighting System
The lighting system is adequate. Lenses for the light fixtures are in disrepair.

25. Electrical Power System
An overhead 200 amps 120 /240 volt single phase 3 wire service serves the facility.
There is no backup emergency generator or battery-backed emergency lighting. There are insufficient electrical outlets for the needs of law enforcement.

26. IT System
There are five separate computer systems serving the needs of law enforcement at this facility.

27. Security System
There is no functional security system at the facility. Three cameras monitor the exterior of the facility; however, the monitor itself at the dispatch is inoperative.

28. Energy Usage and Conservation
There is no awareness of energy conservation at the facility.

29. Fire Egress – Exterior and/or Secured Areas
There is no exterior secured area to evacuate the inmates in case of an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are two fire extinguishers located in the corridor. It could not be determined if they were tested. There is no fire alarm system in the facility. There is no sprinkler system in the facility. There is no emergency battery backup lighting for a safe egress out of the facility.

31. Building Access for Staff and Inmates
Inmates are escorted in through the side door which serves as the Sally port entrance. Staff uses the two other remaining doors for entrance and egress.

32. Hazardous Materials
There is no reported asbestos or lead paint in the facility.

33. Handicap Access for Staff and Inmates
A handicapped ramp is provided at one of the end doors at the facility. There are no additional provisions for the use of any staff or inmates who are handicapped.

34. Potentially Hazardous Elements
Inmates may potentially hurt themselves by hurling themselves against each other or against the two chairs in the cage.

DRAFT

Section 1

Background Information
of the
Navajo Reservation
Served by the Kayenta Detention Center

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review
July 18, 2006

The facility is operated under the Consent Decree of 1992 as a 36-hour holding facility only. The facility is owned and operated by the Navajo Nation.

1. Funding of Operations
   Funding of operations could not be determined. A combination of funds from the PL 638 program and contributions from the Navajo Nation are used to operate this facility. Up to five years ago each district had a distinct and separate budget; however, the new director at Window Rock has set up a different financial management system. Someone at the Navajo Nation controls all funding to the facilities without input at the facility level. The facility has reported that funds are being transferred into 'law enforcement' causing hardships for the 'detention'. Such hardships compromise the safety and security of the inmates and officers.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for the repairs and maintenance of the facility could not be determined.

3. Policies and Procedures
   There are no formal policies and procedures that are used to operate this facility. Standards were developed working with the Department of Justice of the Navajo Nation but they have not been finalized. Even though training was provided, deadlines were set and samples were handed out, no one has worked with the facility on a one-on-one basis to provide the language, format and content that is specific to this facility for their policies and procedures. The facility acknowledged and signed the formalities with the understanding that additional help could be provided through professional

writers but such is not the case. An attorney at the Department of Justice at the Navajo Nation provided some assistance but not enough to finalize and implement the policies and procedures. Thus there are no policies and procedures for the facility. The process is at an impasse.

4. Staffing

There are one full-time administrator, four full-time officers and one temporary staff member. Of these, two individuals, the administrator and one of the detention officers, is certified. The facility is operated using the four-shift plan; each shift is eight hours with an eight-hour relief shift as needed. The facility is seeking to recruit two additional officers. However, the recruitment search is a challenge. Potential employees do not qualify, often as a result of an adverse background that disqualifies them. At other times the prevailing wages are a deterrent. The present starting wage is $9.77/hr. leading to annual increases at 14 cents/hr. with the maximum salary range at $10.25/hr. for a certified detention officer with about seven years of experience. The facility lost an experienced and capable officer recently who left for a job as a bailiff at $13/hr.

Given such financial hardships, officers and staff that stay do so as a result of dedication and loyalty to the Navajo Nation and the local community. These officers very often work long hours without requesting reimbursement or being offered any reimbursement. The facility administrator has served her position at this facility for 18 years, starting at $6.72/hr.

5. Programs

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

6. Staff Training

Officers regularly attend training and fire safety in-service, CPR, first aid and food handling, which generally adds up to about 40 hours per year per person.

Upon recruitment the officers have 12 months to complete their certification training at Artesia. At this time all personnel other than the administrator have less than one year of experience and are awaiting training at Artesia. Since the local facility is unable to perform in-depth background checks and the training facility at Artesia does, it is uncertain if the remaining four individuals will qualify for training at Artesia after their background checks.

7. Space for Inmates On-Site

There are no beds for the inmates on-site. Rather, there are only two detoxification cells, one for male inmates and one for female inmates. Inmates are generally released for lack of adequate space at the facility. More than 30 inmates are housed at the facility at the beginning of each month. This count reaches an excess of 50 if the inmates are not released, with the corresponding continuous intake of new inmates.

8. Space for Inmates Off-Site
Inmates are sent to the Window Rock, Shiprock, Mc Kinley and Tuba City facilities as needed.

9. Staffing Capacity for the Inmates On-Site
There is insufficient staff for the inmates at the facility. The facility administrator works one of the shifts herself. One person from the Tuba City facility is assisting with duties as a detention officer.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide transportation and escort of the inmates to the health facilities, the courts and the other detention facilities.

11. Office Supplies for Staff
There are sufficient office supplies for the staff.

12. IT Equipment for Office Use
There is sufficient IT equipment for office use at the facility.

13. IT Equipment for Communications Use
The staff uses portable radios as a means of communication. There is a need for four additional radios with push-to-talk switches, eight additional battery chargers and a set of batteries for eight radios.

14. Personal supplies for Inmates
Personal supplies for the inmates are borrowed from other facilities or donated by local charities.

15. Uniforms for Staff and Inmates
Uniforms for inmates are borrowed from the Window Rock facility. There are sufficient uniforms for the inmates. Staff has not been provided with any new uniforms for the last three years. There is a need for 6 'officer kits' at this time. These officer kits provide an allowance of $250 for the uniform, $220 for the duty belt, $30 for the handcuffs case, $30 for the baton holder, $30 for the handcuffs, $200 for the badges and $40 for other miscellaneous equipment, for a total of $800 per kit.

16. Linen for Inmates
There is insufficient funding to provide appropriate blankets to the inmates. The local Holiday Inn donates blankets and towels for the inmates. The local Catholic Church donates other miscellaneous supplies for the inmates.

17. Furniture and Fixtures for Staff and Inmates
There are only two detoxification cells for the inmates. These do not require any institutional furniture. Furniture and fixtures for the staff is six years old and at this time is serviceable for the next few years.

18. Transportation Vehicles
There are two transportation vehicles at the facility. One sedan 2002 model is used for administrative purposes and one van 2004 model with 77,090 miles are used to transport inmates to Chinle, Tuba City, Mc Kinley and Shiprock. These vehicles make a minimum of five relays per week. Each relay transports the inmate an approximate halfway distance. The relays are arranged so that the transportation officer could provide a round-trip transportation trip within an eight-hour shift.

19. Fuel for Vehicles
There is sufficient fuel for the vehicles at this time.

20. Utilities for Facility
Propane and electricity are used at the facility. There is sufficient funding for the utilities at this time.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water at the facility for the laundry. The facility does not have a permit to operate a kitchen and there are no showers for the inmates.

22. Adequate Lighting for Inmate and Staff Areas
Lighting levels are very low for both the inmate and the staff areas.

23. Ongoing Repairs and Maintenance
The repairs and maintenance staff from the Navajo Nation does not respond for up to three weeks when a request is made. There is only one repair crew that serves the five districts at the Navajo Nation. Detention officers generally provide all the routine repairs and maintenance at the facility. One detention officer was observed painting the central control station on her off-duty day.

24. Deferred Repairs and Maintenance
The facility, which consists of three single-wide trailers (36' x 66'), was built in 1980. A block-wall structure consists of the two detoxification cells (24' x 32') was added in 1982. The facility has suffered continuous neglect for the past 26 years. The facility is in severe disrepair and has outlived its useful life.
The following deferred repairs and maintenance are needed:
    - Provide new roof to replace the one that was damaged during a fire and has not been repaired.
    - Provide three new Bard units for the trailer and roof-mounted swamp cooler s for the detoxification cells.
    - Provide a new fenced area with gate to serve as a secured entrance for the Sally port.
    - Provide a 16-camera system with high resolution cameras and monitors for the interior and exterior of the facility.
    - Provide a new booking and intake area.

- Provide four new shower stalls for the inmates.
- Provide a new control station area.
- Provide a new kitchen hood with special supports for the weight of the hood that the present roof is incapable of supporting.
- Provide a new electrical service and a complete electrical distribution. Provide new lighting and power outlets for the facility. Provide a 15 KW backup generator.
- Provide battery-backed emergency egress lighting.
- Provide fire detection and alarm system.
- Provide exterior lighting.
- Provide new flooring for the facility. Redo the flooring with nonskid surface in the two detoxification cells.
- Provide new ceilings for the facility.
- Provide exterior paint covering for the new facility.

25. Medical Response at the Facility
The facility summons medical assistance from a hospital which is about two miles away. There is a first-aid kit available at the facility.

26. Booking Process at the Facility
The booking process at the facility is poor. Inmates are escorted through the back door into a makeshift countertop in the corridor in front of the detoxification cells. There are no barriers between the inmate and the booking officer.

Two months ago the facility was switched over to using the CODY system which has not been successful as a result of constant software crashes and unavailability to the users. The facility thus uses a manual system of booking as well as the CODY system to electronically record the manual files.

27. Food Service at the Facility
Although there is a small kitchen at the facility, the kitchen does not have an operating permit since it does not have an appropriate institutional hood above the stove top. The hood could not be installed because the roof structure of the trailer cannot withstand the concentrated weight of an institutional hood.

The local grocery store, Basha's, prepares and serves the food for the inmates. The grocery store charges $4.99 for each breakfast and $5.99 for each lunch and dinner.

28. Kitchen and Dining Staff at the Facility
There is no kitchen and dining staff at the facility.

29. Housekeeping Staff at the Facility
The detention staff provides housekeeping for their office space. Community service workers provide the remaining housekeeping for the administrative areas and for the inmate housing.

30. Repairs and Maintenance Staff at the Facility
There are no repairs and maintenance staff at the facility.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
Healthcare assistance is provided by the Indian Health Services Hospital. Behavioral health services are also provided through the Indian Health Services.

33. Other Support Agencies in the Community
There are no other support agencies in the community.

34. General Reasons for Detention
The general reasons for apprehension and detention are violent crime in the community. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
There have been two attempts to commit suicide at the facility. Inmates have attempted to harm themselves by attempting to drown themselves in the toilet or using their articles of clothing to hang themselves from the bars to the side or the vent screen at the ceiling directly above the toilet.

36. Accountability and Reporting of Incidents
All of the incidents are reported to the Department of Justice at the Navajo Nation. They are also sent to the BIA.

Section 3

Facility Review
June 18, 2006

This is a tribally owned and operated facility. The facility consists of three single-wide trailers attached to create an office space with a later addition of two detoxification cells to create a detention facility. The building is shared with the Police Department, the Dispatch and Detention.

1. Exterior Site Conditions
   Exterior conditions of the building are poor. Since the building is shared with the Police Department, the general public has access through the front door up to the main entrance of the detention facility. The general public also has access all around the building and the facility itself is located on a busy highway.

2. Exterior Exercise/Recreation Area
   The exterior/recreation area consists of a concrete slab surrounded with the chain-link fence topped with razor wire around the concrete slab. The area is not utilized by the inmates. However, the area is utilized to hold stray animals. The fenced gate was found open. The space is not large enough and not far enough from the facility to serve as a secured staging area for the inmates in case of an emergency.

3. Exterior Perimeter Security
   The exterior security of the perimeter is very poor. Part of the facility is surrounded with a fence. However, the fence gates are kept open at all times. There are no exterior cameras to monitor the exterior of the facility. The Sally port door is generally kept open for ventilation. The general public can walk all the way through the open fence and through the open Sally port door to the booking and intake location at the detention facility. This facilitates the passing of contraband to the inmates who are located immediately across the booking station. The control station though adjacent is inside the trailer facility without a direct view of an intruder walking through the Sally port door up to the front door of the detoxification cells – which is the only location where inmates are held at this facility. There are no cameras.

4. Sally Port Security
   There is no Sally port. The back door between the trailer facility and the detoxification cells is used for the ingress and egress of inmates. Although a fenced gate is provided, it is generally left open. There are no cameras.

5. Building Interior Security
Building interior security is very poor. There are no cameras either within the trailer facility or at the detoxification cells or any monitors at the central control station.
Radios are used to communicate and serve as a means to secure inmates and provide safety to the officers. However, most radios are unusable at most times because of a lack of battery chargers. The batteries do not hold a charge on extensive period of time.

6. Building Structure
The building structure consists of three single-wide pedestal-mounted trailers attached to create a physical working office space that is shared by the Police Department, the Dispatch and the Detention offices. Two detoxification cells have been constructed with slab-on-grade and block-wall construction, adjacent to the trailer to serve as the only detention space at the facility. The trailer facility was constructed in 1980 and the detoxification cells were added in 1982. The building structure is in disrepair.

7. Building Roof
The trailer roof caught fire one year ago and has not been repaired as yet. The roof leaks all through the rainy season.

8. Interior Ceilings
All offices have suspended ceiling or glued-on tile on a gypboard ceiling. The housing unit has a hard ceiling.

9. Interior Walls
Interior walls of the offices are 2" x 3" wood-framed stud-walls with wood-veneer paneling. The interior walls of the detoxification cells are of block-wall construction.

10. Interior Flooring
The interior flooring of the office space is carpeting over a sub-floor. The detoxification cell is painted concrete slab.

11. Interior Dormitory Cells
There are no interior dormitory cells at the facility.

12. Interior Isolation Cells
There are no interior isolation cells at the facility.

13. Interior Detoxification Cells
There are two detoxification cells, one of which is used by the male inmates and the other is used by the female inmates. Each detoxification cell has a hard bench structure to sit on. All surfaces have hard finishes. There is one sink/toilet combination unit in each detoxification cell. Inmates do not have the use of shower other than in the employee's staff toilet in the trailer building. Inmates are not taken outdoors during their stay.

14. Booking and Intake Area
The booking and intake area consists of a makeshift Masonite countertop structure outside the back door and in the corridor between the trailer of facility and the detoxification cells. There is no separation between the inmate and the booking officer. There are no cameras.

15. Visitation Area
There is no visitation area at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is a small kitchen but it lacks a permit to operate. The kitchen was shut down for a lack of an appropriate institutional hood and a fire suppression system over the hood. The roof structure of the kitchen could not support the concentrated weight of the hood.

17. Dining Area
The facility does not have a specific dining area. Inmates are fed in the detoxification cells.

18. Day Room Area
There is no day room at this facility. Inmates are not given any outdoor time during their stay at the facility.

19. Vocational Training Area
No vocational training is provided to the inmates at the facility.

20. First Aid and Medical Assistance Area
The central control room serves as the area to provide first aid and medical assistance to the inmates. A first-aid kit is provided and a refrigerator is provided for the storage of medicines. The central control area is too small for its intended use and is not appropriate to serve as an area to render first aid and medical assistance.

21. Toilets and Showers
A combination sink/toilet unit is provided in each of the detoxification cells. Inmates use the employee's staff restroom for shower facilities.

22. HVAC System
Bard units provide HVAC for the trailer facility. One of the Bard units has not been repaired since it was damaged by the fire one year ago. Thus there is no cooling in one-third of the trailer facility. The housing unit is served by a swamp cooler on the roof of the permanent structure which makes up the two detoxification cells. Cooling is insufficient for the number of inmates that are held in the detoxification cells.

23. Plumbing System
The combination sink/toilet unit is constantly in disrepair in each of the detoxification cells. Often repairs cannot be completed for lack of availability of parts on the outdated units. The sanitation sewer line is often plugged. This sewer line does not have any rag-filter-screens at the cleanouts.

24. Lighting System
There is insufficient lighting in the offices and in the cells.

25. Electrical Power System
The facility does not have sufficient electrical power service. At this time the facility is served with a 200 amp 120/240 volt - single phase power. All electrical distribution has been tapped off for new electrical loads as the building was utilized over the last twenty five years and as new equipment was added in the facility. The facility does not have a backup generator to serve in an emergency.
The facility does not have any battery-backup lighting for emergency egress out of the building.

26. IT System
A minimal IT system is in use at the facility. Manual logs are still maintained and two typewriters are in active use. The recently installed CODY system constantly crashes, necessitating backups with manual logbooks.

27. Security System
There is no security system in place at the facility. All security is provided through communications using portable radios.

28. Energy Usage and Conservation
Energy conservation is not practiced. The heating and cooling systems are inadequate and as such most exterior doors are constantly left open for ventilation.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is inadequate. Inmates cannot be evacuated and staged in a secured area in an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
Fire extinguishers are provided at appropriate locations. There is no fire alarm system. There is no sprinkler system.

31. Building Access for Staff and Inmates
Staff uses all three entrances for routine ingress and egress. The inmates are escorted through the backdoor that also serves as the Sally port door.

32. Hazardous Materials
Hazardous materials such as asbestos and lead paint were not reported on-site. The use of such materials had been abandoned by the time the site was constructed in 1980.

33. Handicap Access for Staff and Inmates
There are insufficient provisions for the use of the facility by disabled staff inmates or visitors. An inappropriate ramp has been constructed at the front entrance. There are no restrooms or showers to serve the disabled staff, inmates or visitors.

34. Potentially Hazardous Elements
Inmates may harm themselves using articles of clothing and the vent screens above the sink/toilet combination units. Inmates may also harm themselves when they have the use of the shower facilities in the employee restroom in the trailer. A posted sign indicates that an inmate may use the shower up to 15 minutes, which is sufficient time for permanent damage.

DRAFT

Section 1

Background Information of the Navajo Reservation Served by the Shiprock Adult Detention Center

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review July 2, 2006

This is a 48-hour holding facility operating under the consent decree, Silver vs. Pahe, dated November 17, 1992.

1. Funding of Operations
   The funding of operations is undetermined.

2. Funding of Repairs and Maintenance of Facility Structure
   The funding for repairs and maintenance for this specific facility is undetermined.

3. Policies and Procedures
   The Detention Officer indicated that the Navajo Nation Policies and Procedures are in use. However, no hard copies of such policies and procedures were observed at the facility. The operations indicated that policies and procedures were either not in place at all, not in use or both.

4. Staffing
   Presently there are ten full-time detention officers, six of whom are certified. The facility requires at least five to nine more officers in order to maintain operations.

5. Programs
   Screening for sexually transmitted diseases (STD) is provided. Religious services are also available through the several churches in the area, however, many programs cannot be provided due to a severe shortage of space.

6. Staff Training
   Four officers are awaiting certification. The facility attempts to attain 40 hours of training per year but this does not often occur due to a lack of officers available to cover those who are in training.

7. Space for Inmates On-Site
There are 19 beds in dormitory style in three locations. Thirteen of these beds are for the use of males and the remaining six are used by females. There are five isolation cells and one cell that are used for special observations. There is one cell specifically set aside for inmates needing detoxification. This cell area measures about 140 square feet. There are 36 inmates in the cell at the time of the observation. Inmates were using every horizontal space in the cell including one inmate lying in front of the toilet preventing others from using it. The consent decree requires one-fourth of this number in such a space.

8. Space for Inmates Off-Site
Inmates were sent to Gallup earlier, but due to the closing of the Tuba City Adult Detention Center, there is no space available at Gallup anymore for inmates from this facility. No inmates are sent off-site at this time.

9. Staffing Capacity for the Inmates On-Site
There is a need for more officers. There are two to three officers on a shift at any given time; however, this reduces to one to two officers if someone is called out for transportation duty. Presently ten detention officers and one cook are employed at the facility but five to nine more officers are needed in order to meet the operating needs of the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide the transportation and escort of all inmates. Transportation locations are between 100 to 200 miles one way and as such, these transportation relays often use up an entire day of an officer's time, placing a strain on the remaining officers to ensure the safety of the facility.

11. Office Supplies for Staff
There are not enough office supplies for the staff. Paper, pens, tape and pencils are all in short supply. Officers are using their own funds to purchase supplies at the nearby Wal-Mart in Farmington and Gallup.

12. IT Equipment for Office Use
The IT equipment at the time of the assessment was old but serviceable.

13. IT Equipment for Communications Use
Radios for the officers are inadequate at this time. Three officers do not currently own radios nor are there any radios in the office area. Presently six officers own radios. Six more radios with battery chargers are needed for the facility. Six extra sets of batteries and six extra battery chargers are also required for the new radios. All ten officers are in need of new microphone push-to-talk microphone switches.

Staff at the kitchen cannot communicate with the central control station or the dispatch in case of an emergency. There is no intercom between the kitchen and the center control room.

14. Personal Supplies for Inmates
There are sufficient personal supplies for the inmates at this facility at this time. However, they often run out and because of a lack of funds, have to borrow supplies from the juvenile division. At other times the detention officers purchase toothpaste, shampoos, soaps, laundry soap and cleaning-supplies for the facility, from their own funds.

15. Uniforms for Staff and Inmates
There is no funding for the purchase of uniforms for the staff. Officers purchase from their personal funds, their own pants, duty belts and boots. Officers were provided with a 'uniform funding' in the past. However, this practice has been discontinued. The detention officer indicated that she was furnished with 'uniform' three years ago, but has been purchasing for her own needs since then, as is the case with all other officers.

16. Linen for Inmates
There is a shortage of blankets for the inmates at this facility. Most blankets are worn out. All mattresses are worn out and ripped. Towels were borrowed from the Tohatchi Youth Detention Center. Sheets are supplied to the female inmates only. There is a severe shortage of blankets during periods of a breakdown of the heating system, which happens quite often.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the inmates are adequate. However, there is a lack of desks and several broken chairs are used by the staff.

18. Transportation Vehicles
Two transportation vehicles (one Chevy van and one Ford van) are used at this time, both of which need to be replaced. These vans have 171,915 and 132,513 miles on them. One of the vans has an unreliable gas gauge that has caused it to run out of fuel once.
The detention staff also gathers all garbage and transports it to the dump using a pickup truck that has 75,700 miles on it. The garbage collection service was discontinued for lack of funding.

19. Fuel for Vehicles
There is sufficient fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding to pay for the utilities at the facility at this time.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water for the kitchen, laundry and showers. However, the water pressure is low. Water pressure in the cells is low

enough to necessitate the use of Styrofoam cups by the inmates, for drinking water.

22. Adequate Lighting for Inmate and Staff Areas
The facility has sufficient lighting in the inmate and staff areas. Inmates complain of excessive light at night all of which remain lit all night. There is a lack of night-lights. Light fixtures are not vandal resistant.

23. Ongoing Repairs and Maintenance
There is a purchase order submitted for the repairs of the cross angle-iron on the bunk bed (that makes up the headboard). In the meanwhile the bunk bed is in use.

24. Deferred Repairs and Maintenance
1 Leaking toilets in the cell area.
2. Cooling system for the building.
3. Heating system for the building.
4. Sanitation drains of the building.
5. Washing machine for the laundry.
6. Lock and key system for all cells.
7. Sprinkler system for the building.
8. ADA system for the building.
9. Restraining chair.
10. Repair one camera in the detoxification cell.
11. Add six cameras and two monitors to the existing 16-camera system.
12. Replace all existing lighting fixtures with vandal-resistant light fixtures and light fixtures with night-lights.
13. Electrical distribution system with sufficient electrical outlets.
14. One recording camera for the booking station.

25. Medical Response at the Facility
Medical response at the facility is within 5 minutes of the call. There is a monthly visit by a doctor and/or nurse to respond to the complaints of the inmates. However, there are no routine visits by a healthcare professional to check the inmates for tuberculosis, hepatitis, HIV, AIDS or dental needs. Detention officers reported that inmates often spit in their face.

26. Booking Process at the Facility
The booking process is inadequate. There is no barrier between the booking officer, arresting officer or the inmate in the booking area. There is a non-recording camera and no audio recording apparatus in the booking area. There is a need for software that can access the history of an inmate.

27. Food Service at the Facility
There is a kitchen at this facility. The kitchen utensils are unsecured and are either hanging from a kitchen rack, or placed in insecure kitchen drawers. Kitchen knives are placed in unlocked drawers in the kitchen. When questioned about policies and procedures regarding the kitchen, the cook

indicated that she locks the kitchen knives drawer with a padlock. Upon further questioning, she produced one padlock that was in the kitchen knives drawer. The padlock was smaller than ¾ inch x ¼ inch. Inmate trustees have access to the kitchen. In an emergency, the cook in the kitchen does not have a way to communicate either with the central control room or the dispatch. A separate and very foul smelling grease dumpster was noticed outside the kitchen. Since the garbage hauling services have been discontinued for lack of funds, it is assumed that the grease removal services have also been discontinued.

28. Kitchen and Dining Staff at the Facility
There are three cooks who perform all of the cooking at this facility. The detention officer reported that the cooks are certified as food handlers.

29. Housekeeping Staff at the Facility
The community service worker (CSW) inmates provide all of the cleaning at this facility. These inmates also provide cleaning at the adjacent courts building. Some of the inmates have to serve up to 947 hours of community service. The CSW inmates do not provide any services beyond the detention facility and the courts building for lack of supervisory staff that is needed to monitor their activities.

30. Repairs and Maintenance Staff at the Facility
There is shared maintenance staff for routine repairs and maintenance for this facility. They are slow in responding because of a shortage of staff and the physically remote distances of the facilities. Service may be provided with the delay of at least a week from the time the service order is placed.

31. Inmate Services Provided at the Facility
The clergy provide some church services.

32. Healthcare Assistance in the Community
The community provides healthcare services that include:
1. Indian Health Services hospital; 2. Behavioral Health Services; and 3. DWI school services.

33. Other Support Agencies in the Community
The community provides: 1. Anger management services; 2. Parenting skills services; 3. Victim impact panel for DUI services; and 4. Domestic abuse counseling services.

34. General Reasons for Detention
Substance abuse is the major reason for detention at this facility. This results in crimes such as domestic violence, sexual assault, child neglect and burglary. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Potentially harmful conditions and behavior of the inmates to harm themselves emerge from the mental health problems of the inmates. Such inmates have to be segregated in an individual cell. There are no cameras in the segregated cell, resulting in the detention officer constantly checking the condition of the inmate by entering the cell. Additionally, inmates can use articles of clothing to potentially harm themselves. There are a large number of locations such as the horizontal elements of the bars around the cell, the holes in the steel plate of the bunk beds and the horizontal cross members of the bunk beds that could be potentially used by the inmates to harm themselves.
There have been two successful suicides at this facility in the past. 1) An inmate used his unraveled bandages from a hospital to hang himself; and 2) An inmate used an overdose of prescription pills prior to being booked and which was not disclosed at the booking.

36. Accountability and Reporting of Incidents
Incidents are reported through memos to the detention supervisor. These are then reported to the Department of Justice at the Navajo Nation.

DRAFT

Section 3
Facility Review
July 2, 2006

This is a 48-hour holding facility operating on the consent decree, Silver vs. Pahe, dated, November 17, 1992. This facility is a tribal building.

1. Exterior Site Conditions
   The exterior site conditions are poor. The facility provides an easy access to the general public both from the front entrance and through the permanently open exterior fence, permanently open Sally port fence gate and permanently open and unlocked (there are no locks at all) Sally port door, all the way into the booking area.
   One ¾ inch diameter, 18-inch long steel bolt and another 24 inches long, 1-inch diameter solid steel bar were found strewn outside the building. These items could have been used as deadly weapons against the officers and/or the inmates. These items were submitted to the detention officer on duty.

2. Exterior Exercise/Recreation Area
   Two separate exercise and recreation areas are provided for inmates. Though sufficiently separated from the building for fire evacuation, the physical area is insufficient for fire evacuation for all of the inmates at the facility. The exercise and recreation area are sufficiently accessible by the general public to toss and contraband items.

3. Exterior Perimeter Security
   There is no security around the exterior perimeter. There are only two cameras to monitor the perimeter of the building.

4. Sally Port Security
   There is no security at the Sally port. There is only one camera to monitor the Sally port. While there is a camera pointed at the Sally port door, the gate at the exterior perimeter fence is permanently open, the gate at the Sally port fence is permanently open and the door at the Sally port is also permanently open. There is no lock on this door. The door cannot be latched at all since the door jamb is skewed as a result of the settling of the building, and prevents the door from closing in.
   The detention officer reported that it is scary to find general public loitering inside the detention facility late at night. These individuals have simply walked in through the two open gates in the two fences and the open Sally port door. At one time an individual walked in the Detention Center building, past the three unsecured barriers and requested a lone detention officer to arrest someone that he had brought along. Upon questioning, the individual lead the detention officer to his parked car outside, which contained a tied-up individual in the backseat.

5. Building Interior Security
The interior security of the building is minimal. While there are 16 cameras, they are placed at awkward locations with a number of blind spots that cannot be monitored by these cameras. The control console for the detention officers is poorly designed so it can monitor only four cameras on the one and only monitor, at a time.
A fixed camera is pointed at the reception window accessible to the general public. The detention officer reviews the monitor before she responds to the reception window. However, the responding detention officer at the reception window can be harmed, since this plexiglass window is located in line of sight of the access by the general public.

6. Building Structure
The building consists of brick structure with slab-on grade and block-wall partitions.

7. Building Roof
The building has a flat roof. The roof leaks in a number of places every time it rains.

8. Interior Ceilings
The office areas generally have glued-on tile ceiling on sheetrock. Other non-housing areas have a painted sheetrock ceiling. The remaining housing areas have concrete slab hard ceilings.

9. Interior Walls
Exterior perimeter walls are brick. The housing partitions are concrete block wall. Booking and control areas are block-wall. The offices consist of wood framing and wood panel covering.

10. Interior Flooring
The inmate housing consist of painted concrete floors which is the slab on grade. Vinyl tiles are used in the common areas, offices and corridors. All tiles have been worn down to the bare concrete slab.

11. Interior Dormitory Cells
The interior dormitory cells consist of steel bars with horizontal cross members. There are 19 beds set up in a dormitory style in three locations. There are seven beds for male inmates upstairs. There 12 beds, six each for males and females downstairs. These cells are set up with single bunk beds and tiered-bunk beds. The door control mechanism consists of manual controls that have not been lubricated in years.

12. Interior Isolation Cells
There are three female and two male isolation cells. The interior of the isolation cells have hard unpadded walls. A combination sink-lavatory unit is provided. There is minimal water pressure at the sink. A special

observation cell is used for suicide watch. However, this cell does not have a camera for continuous surveillance.

13. Interior Detoxification Cells
There is one detoxification cell. The interior of the detoxification cells have hard unpadded walls and concrete benches.

14. Booking and Intake Area
The booking and intake area consists of a freestanding counter top in the hallway and four worn-out chairs. There is very poor security at the booking and intake area. The intake Sally port door is permanently open. It has no locks. There is no barrier between the inmate and the detention officer during the booking process.
While there is a camera, the resolution of these images is very poor. There is no video recorder. The camera and the video recorder need to possess a higher resolution scan so that detailed recordings can be made of the inmate's personal possessions such as currency notes, which are removed from the inmate during the booking process.
Forms are filled out during the booking process. However there is no computer or access to the Cody booking software that is in use at the Navajo Nation.

15. Visitation Area
The visitation area is very congested on the inmate side. Three inmate stations with no elbow room and no telephone access are provided for the inmate who has to shout out to the visitor through an audio screen. The visitor stands on the opposite side. There is no visual contact between the visitor and the inmate.

16. Kitchen, Food Preparation and Pantry Area
There is a kitchen, food preparation area and a pantry area at this facility. The kitchen hood and its associated fire suppression system are inoperative. There are no sprinklers in the kitchen, or anywhere else in the building. The kitchen drains plug up very often. There are no grease traps that serve the kitchen. Kitchen grease is separated in plastic bags and tossed in the garbage heap within the insecure generator enclosure. There are insufficient electrical outlets and/or electrical outlets in inappropriate places that are subject to the water splashing as the washed pots and pans are placed on the drain boards. Excessive lengths of extension cords are used in the kitchen to power kitchen appliances.
There is in adequate ventilation and cooling in the kitchen and the dishwashing area. A swamp cooler provides minimal cooling to the kitchen.

17. Dining Area
Inmates generally eat in their cells or in the secured common area outside their cells but within the contained dormitory area.

18. Day Room Area
There is no day room at this facility.

19. Vocational Training Area
There is no area that serves the inmates for vocational training at this facility.

20. First Aid and Medical Assistance Area
There is no specific area to render medical assistance. The facility has a first-aid kit that is used to provide minor healthcare.

21. Toilets and Showers
There was insufficient pressure to provide drinking water in several of the cells that were tested. There was adequate hot water at the showers. There is a need to replace all combination sink-lavatory units and the stainless steel shower stalls.

22. HVAC System
Heating is provided by a furnace and heat exchangers, supported with natural gas. There is a retrofitted cooling system that uses roof-mounted units and a system of exposed ductwork to specific areas within the building. Both the heating and cooling systems were retrofitted around the block building, and thus provide a very poor system of air circulation and distribution of heating and cooling air. For example, the intoxilyzer room has three additional fans to provide air circulation and cooling for the intoxilyzer unit. The heating system often breaks down, which is noticed by the inmates. A lack of sufficient blankets at the facility exacerbates the chilled environment.

23. Plumbing System
The plumbing system suffers from high content of hard-water salts in the area. There are two hot-water heaters located in the mechanical room at the facility. The two doors at the mechanical room are insecure and open to the general public. The combined flue from the furnace and the hot water heaters is not connected to the rooftop extension, causing unburned flue gases and carbon monoxide to accumulate in the mechanical room.
The sanitation drains are often plugged up. There are leaking toilets in the cell areas.

24. Lighting System
The light fixtures are not vandal resistant. There are no night-lights for the cell areas.

25. Electrical Power System
The facility is served by a 400 amp, 120/240 V, single-phase three wire system. This is the original system, about forty years old, and consists of several disconnect switches that serve as the main service entrance. There is insufficient electrical power to serve the facility. Electrical power is

supported by a backup 15 KW generator with a transfer switch. There was no record if the generator is exercised on a regular basis. The generator enclosure is not secured. The enclosure is also used as a trash dumpster.

26. IT System
The facility has sufficient computers for administrative needs. There is no computer or software at the booking station.

27. Building Security System
The building security system is very poor. More cameras are needed in addition to high-resolution video recorders at the booking space and high-resolution video monitors at the detention officers' control station.

28. Energy Usage and Conservation
The building uses no measures to conserve energy.

29. Fire Egress – Exterior and/or Secured Areas
The fire egress into the exterior secured area is poor and unsafe. The recreation areas cannot accommodate the number of inmates. There was no evidence of any fire drill that was ever conducted.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
The facility has a working fire alarm system with a fire alarm control panel. There are insufficient fire extinguishers and there was no record of routine testing. There is no sprinkler system at this facility.

31. Building Access for Staff and Inmates
The staff uses the front and Sally port door entrances. The inmates and general public come through the Sally port or the front entrance.

32. Hazardous Materials
The building was built about 1962, when asbestos and lead paint were in common use. There is no record of any inspections or abatement of asbestos/ lead paint at this at this site.

33. Handicap Access for Staff and Inmates
The staff, visitors and inmates have no provisions for any access to the building or restrooms by handicapped individuals.

34. Potentially Hazardous Elements
The facility has several areas that could be potentially harmful to the inmates. Inmates can use their own clothing and strips of mattresses to commit suicide. Potential anchors to hang sufficient weight is provided by the holes on the bunk plates, corners of the upper bunks and the horizontal cross-members on the steel bars of cells and cell doors. Inmates have successfully overdosed on prescription pills and committed suicide.

Section 1

Background Information
of the
Navajo Reservation
Served by the Tohatchi Youth Detention Center

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review
July 1, 2006

1. Funding of Operations
   The funding off operations could not be determined at this time.

2. Funding of Repairs and Maintenance of Facility Structure
   The funding of repairs and maintenance for the facility could not be determined at this time.

3. Policies and Procedures
   Copies of the BIA Red handbook are on file. It could not be determined if they are in use or if they have been modified to suit the purposes of this facility.

4. Staffing
   There are nine full-time detention officers and one full-time detention supervisor.

5. Programs
   The facility runs a school program to benefit the inmates. The youngest inmate at this facility was eight years old.

6. Staff Training
   The quality and quantity of staff training could not be determined at this time.

7. Space for Inmates On-Site
   There is a dormitory for girls, which has five beds. This dormitory was created by demolishing interior partitions of cells which at one time made up several independent cells. There are two detoxification cells which are used for the general male population.

8. Space for Inmates Off-Site
There are no inmates housed off-site.

9. Staffing Capacity for the Inmates On-Site
There are a total of nine detention officers who serve this facility. Generally there are two officers for each shift at the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide transportation and escort of the inmates.

11. Office Supplies for Staff
There are sufficient office supplies for the staff at the facility.

12. IT Equipment for Office Use
Could not be determined.

13. IT Equipment for Communications Use
Could not be determined.

14. Personal Supplies for Inmates
Could not be determined.

15. Uniforms for Staff and Inmates
The officers were provided uniforms about one year ago.

16. Linen for Inmates
Blankets and uniforms for the inmates are worn out.

17. Furniture and Fixtures for Staff and Inmates
Could not be determined.

18. Transportation Vehicles
Could not be determined.

19. Fuel for Vehicles
Could not be determined.

20. Utilities for Facility
Could not be determined.

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
There is adequate lighting for the inmates and staff areas.

DRAFT

23. Ongoing Repairs and Maintenance
A residential-type laundry washer is in constant need of repair. A residential-type laundry dryer is inoperative. Washed clothes are hung out to dry on the handrails.

24. Deferred Repairs and Maintenance
Convert the two existing detoxification cells to one single dormitory for the use of male inmates.

25. Medical Response at the Facility
Could not be determined.

26. Booking Process at the Facility
Booking is conducted at the central control room, which also serves as the public reception area.

27. Food Service at the Facility
A minimal residential-type kitchen serves the facility. The stovetop does not have a hood or a hood suppression system. All dishes are hand washed. Utensils and knives are stored in unsecured kitchen-counter top drawers.

28. Kitchen and Dining Staff at the Facility
The detention staff provides all of the cooking for the inmates.

29. Housekeeping Staff at the Facility
The detention staff provides all of the housekeeping at the facility.

30. Repairs and Maintenance Staff at the Facility
Two individuals serve as shared staff for this and other facilities.

31. Inmate Services Provided at the Facility
Educational material is provided at the facility for the inmates.

32. Healthcare Assistance in the Community
Could not be determined.

33. Other Support Agencies in the Community
Could not be determined.

34. General Reasons for Detention
The general reasons for apprehension and detention are the onset of drugs-related violent crime.

35. Potentially Harmful Conditions and Behavior of Inmates
Steel cross members at bunk beds could be used by the inmates to harm themselves. Several leftover steel posts from ceiling to floor in the girls dormitory, that were left over when the partitions were removed could also be used by the inmates to harm themselves.

36. Accountability and Reporting of Incidents
Could not be determined.

DRAFT

Section 3

Facility Review
July 1, 2006

1. Exterior Site Conditions
The exterior conditions of the facility are fairly poor. The facility is accessible to the general walk-in public through an unsecured front entrance and through a continuously open gate at the perimeter fence.

2. Exterior Exercise/Recreation Area
The facility provides an exercise and recreation area that could also be used as an area for emergency evacuation. The area has minimal security. Only one camera monitors the exterior door at the building that leads into the area. This area provides an easy escape route at the building corner where the razor wire is not anchored and has been bent. Additionally the razor wire uses an unbarbed cross-connect steel wire on the top of the loop, throughout the perimeter. Apparently this was used to provide stiffening of the loop. However, this unbarbed cross-connect wire also provides stability and can carry the weight of inmates on their way out, defeating the purpose of the razor wire.

3. Exterior Perimeter Security
Exterior perimeter security is fairly poor. There are only two cameras — one at the front entrance and the other at the exterior door leading to the exercise yard — that monitor the exterior perimeter. Each camera has blind spots that could be used by escaping inmates.

4. Sally Port Security
There is no Sally port. All inmates are escorted through the front entrance into the central control room for booking.

5. Building Interior Security
There is an eight-camera system at the facility. Five cameras monitor the interiors, one camera monitors the entrance lobby and the other two cameras are used to monitor the exterior perimeter.

6. Building Structure
The building consists of brick perimeter walls with slab-on-grade. The interior consists of brick load bearing walls and hollow dry walls for full-height partitions.

7. Building Roof
The building has a pitched tar roof with multiple HVAC rooftop units. There are no reported leaks or signs of leaks.

8. Interior Ceilings
Generally all interior ceilings consist of painted sheetrock.

9. Interior Walls
Generally all exterior walls are brick. All load-bearing walls are brick. All full-height partitions are hollow dry walls.

10. Interior Flooring
All interior flooring is vinyl tile over concrete slab.

11. Interior Dormitory Cells
There is one dormitory cell for the female inmates.

12. Interior Isolation Cells
There are no interior isolation or segregation cells.

13. Interior Detoxification Cells
There are two detoxification cells that are used by the male inmates. Each detoxification cell has tile benches on three sides and a combi-sink-lavatory unit.

14. Booking and Intake Area
There is no booking and intake area. All inmates are escorted through the front door to the central control room for booking. This booking area/central control room also serves as the public reception area.

15. Visitation Area
Two chairs outside the female dormitory serve as the visitation area. Both visitors and inmates are escorted through the building to this area for visitation.

16. Kitchen, Food Preparation and Pantry Area
A small residential kitchen and pantry area serve as the kitchen for the facility. There is no hood or a hood suppression system over the stovetop. There are no fire sprinklers.

17. Dining Area
There is no specific dining area at this facility. Inmates eat in their cells.

18. Day Room Area
There is no day room area at this facility.

19. Vocational Training Area
A small vocational training area is provided with educational material in the bookshelves.

20. First Aid and Medical Assistance Area
There is no specific area to provide first aid and medical assistance. Such assistance is provided in the central control room.

21. Toilets and Showers
There are minimal toilet and shower facilities for the number of inmates at this facility.

22. HVAC System
A retrofitted HVAC system consisting of rooftop units and exposed ductwork within the building serves as the cooling system. A boiler and a heat exchanger furnace provide for all of the heating. All units are about two years old and are functioning appropriately.

23. Plumbing System
The plumbing system is functional with no reported backups or leaks. The combi-sink-lavatory units are functional.

24. Lighting System
The lighting system consists of both surface and recessed light fixtures. There is sufficient lighting for the present use.

25. Electrical Power System
An overhead electric service at the chemical storage shed with a 200 amp main disconnect, serves as the main electrical service. There is no backup generator.

26. IT System
One computer serves as the general purpose computer for the facility. This computer is used for the general logs and the CODY software system. Manual logs are also maintained and they serve as a backup for the computer system.

27. Security System
And eight-camera system was installed about four years ago. These cameras are interconnected to one poor-resolution monitor at the central control room.

28. Energy Usage and Conservation
There is no awareness of energy conservation at this facility. Both the front entrance and the back perimeter door are left open with the air-conditioning system in operation.

29. Fire Egress – Exterior and/or Secured Areas
A fire evacuation plan is posted. Inmates are expected to be evacuated into the exercise yard, which is large enough to provide a 50-foot separation from the building.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
A fire-detection, strobe-horns and a fire alarm control panel system are provided. Fire extinguishers are provided and inspected on regular basis. There is no sprinkler system at this facility.

31. Building Access for Staff and Inmates
Both the staff and inmates use the front entrance.

32. Hazardous Materials
This building was built in August 1958 at a time when asbestos and lead paint were in use. There are no apparent signs of asbestos such as in the floor tiles or in the pipe insulation. There are no records for this facility to indicate that these have been eliminated.

33. Handicap Access for Staff and Inmates
There are no provisions for the use of handicapped individuals at this facility.

34. Potentially Hazardous Elements
Cross members of bunk beds, structural steel posts in the girl's dormitory and articles of clothing could be potentially hazardous for inmates and could be used to harm themselves.

DRAFT

Section 1

Background Information
of the
Navajo Reservation
Tuba City Adult Detention Center
June 17, 2006

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review
June 17, 2006

This is a 48-hour holding facility operating under the consent decree, Silver vs. Pahe, dated November 17, 1992.

The building is owned and operated by the Navajo Nation.

1. Funding of Operations
   Funding is provided through the PL 638 program and contributions from the Navajo Nation. Details could not be determined.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for the repairs and maintenance of the facility could not be determined.

3. Policies and Procedures
   There are no policies and procedures in place at the facility.

4. Staffing
   Including the three full-time administrative staff, there is a total of 13 staff members, nine of whom are detention officers. There are seven certified detention officers. At least three officers are on duty at any time. There are four vacancies at this time that are being advertised. It is a challenge to recruit new employees. Adverse backgrounds of potential employees and insufficient offer for salaries are a deterrent. The starting salary for a detention officer is $20,000 per year which reaches a maximum of $23,000 per year after approximately 24 years of continuous service.

5. Programs
   The facility provided spiritual counseling, church services and behavioral health services, all of which have been stopped for lack of funding.

6. Staff Training
There are seven certified detention officers at this facility. Others are awaiting training. The certified officers have reported that while Artesia provides good training and transportation defensive tactics, supervisory skills and weapons training, Artesia does not focus on tribal issues and tribal jails.

7. Space for Inmates On-Site
There is a total capacity of 34 individuals at the facility operating under the consent decree of 1992. Of the 34 individuals, 18 individuals are expected to be confined in the detoxification cells that provide no beds. There is a capacity of 16 beds at the facility. An additional 32 beds are provided in the two modular units that are located on the premises. Inmates may be held for a maximum of 48 hours.

During the Fair nights in October, 20 to 50 inmates are booked per night and inmate population reaches 90 in one day.

8. Space for Inmates Off-Site
Inmates are sent off site to McKinley, Window Rock, Shiprock and Chinle facilities.

9. Staffing Capacity for the Inmates On-Site
There is a shortage of staff at the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide transportation and escort of the inmates. More officers will be needed after the facility is closed down. The round-trip to McKinley County Facility is 750 miles and takes about 10 hours.

11. Office Supplies for Staff
The office supplies are temporarily adequate. The detention officers, staff and cooks often use their personal funds to procure office supplies and meet other needs for the facility. These individuals are not reimbursed.

12. IT Equipment for Office Use
IT equipment is not adequate for the present use. The facility needs three printers, one copy/fax machine and one computer station.

13. IT Equipment for Communications Use
IT equipment for communications is inadequate. Six new radios, battery chargers and batteries are needed, which is the only source of communications for the safety and security of officers.

14. Personal Supplies for Inmates
Personal supplies for the inmates are provided by the families and donations from St. Jude's Church. The budget for such supplies has been reduced by

50% this year, which is inadequate for the appropriate operations at the facility.

15. Uniforms for Staff and Inmates
There is no funding for uniforms for the staff or inmates at this time.

16. Linen for Inmates
There is no funding for blankets, all of which are very worn out and have large holes.

17. Furniture and Fixtures for Staff and Inmates
The furniture and fixtures for staff are in disrepair. Furniture and fixtures for the inmates are minimal.

18. Transportation Vehicles
There is one light-duty truck without a cage that is used for administrative purposes. In addition, there are two vans with cages. Because of the distance traversed, each of the vans have about 100,000 miles. There is a need for one additional van with a cage that will serve as a replacement for one of the existing vans.

19. Fuel for Vehicles
There is sufficient funding for fuel for transportation.

20. Utilities for Facility
They are sufficient funds to pay for the electricity, telephone and propane used at the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is not enough hot water or water pressure for a commercial laundry at this facility. There is sufficient hot water for the kitchen and showers.

22. Adequate Lighting for Inmate and Staff Areas
Lighting is very poor both inside and outside the facility in the staff and inmate areas. Several skylights are provided throughout the facility – but they are dirty and provide little light.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at this time. There have been no minor repairs or maintenance done at this facility for the past two years. The Navajo Nation utilizes one maintenance crew that is located at Window Rock. One individual from this maintenance crew provides repair services to five different districts each of which is over one hundred miles away from the other.

24. Deferred Repairs and Maintenance

The facility was built in 1960. It has been a victim of severe neglect over the past years. At this time, the facility is in need of the following deferred repairs and maintenance items:

- Provide all hazardous material abatement, which includes abating asbestos and lead paint throughout the facility.
- Remove and replace existing electrical service with 1000 amp 208Y/120 volt, three-phase, four wire service.
- Provide new lighting system, including institutional light fixtures and associated electrical distribution.
- Provide new electrical power distribution with additional receptacles and outlets for communication equipment.
- Provide a new fire alarm system.
- Provide a new backup 60 KW emergency generator and associated switchgear for the building. (A separate generator provides primary power to the two portable detention units outside the building. This generator does not provide backup power to the building.)
- Provide a new HVAC system, including all equipment and distribution ductwork.
- Provide a new plumbing system, including 16 sink/toilet combination units and 16 shower stalls.
- Provide new plumbing lines and sanitation sewer lines within the building and extending to the public sewer system 300 feet away.
- Provide a system of 32 high-resolution cameras for interior and exterior installation. Provide high-resolution monitors.
- Provide a system of electronic locks on 20 doors with a keyed manual override.
- Provide a new roof.
- Provide new flooring for the office space and a new washable floor covering for the housing area.
- Provide new lay-in ceiling for the office areas and a refinished hard ceiling in the housing area.
- Provide new doors for all office areas.
- Provide structural reinforcement for settling foundations.

25. Medical Response at the Facility

The local Indian Health Services provides healthcare response to the inmates. IHS is located about half a mile away. The local fire department also provides basic medical emergency response. Inmates are not screened for tuberculosis, HIV or hepatitis.

26. Booking Process at the Facility

The booking process at the facility is fairly poor. Inmates are escorted into the building through a side door and into a corridor. Booking is conducted through this window at the central control station. The booking officers are at risk since there are no barriers between the inmate and the booking officer.

The facility uses the CODY system. The staff has received two days of training but the software is difficult to use and not a user-friendly system. There is no computerized fingerprinting machine that could provide a cross check with other law enforcement agencies. There is no camera to record the booking process.

27. Food Service at the Facility
The kitchen provides two hot meals and a sack lunch for each of the inmates every day during the week. The inmates are served with sack lunches for meals during the weekend. Kitchen knives and utensils are stored in unsecured kitchen drawers. A secured storage cabinet for all utensils and knives is needed.

28. Kitchen and Dining staff at the Facility
Two cooks are on duty five days a week.

29. Housekeeping Staff at the Facility
Trustees provide housekeeping services at the kitchen and the facility. The kitchen staff assists with certain areas in the kitchen. Detention staff provides their own housekeeping of their areas. There is no additional janitorial help.

30. Repairs and Maintenance Staff at the Facility
There are no repairs and maintenance staff at the facility.

31. Inmate Services Provided at the Facility
No inmate services are provided at the facility.

32. Healthcare Assistance in the Community
Behavioral Health Services are provided in the community. The local Indian Health Services provides healthcare services at the local hospital. Rehabilitation services for alcohol and drug abuse are also provided in the community.

33. Other Support Agencies in the Community
Counseling and religious services are provided in the community. Sister Elizabeth provided a number of charitable services to assist the inmates. Tai chi classes are offered in the community.

34. General Reasons for Detention
Most of the incarceration is related to violent crime resulting from the abuse of methamphetamines. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
One inmate committed suicide in January 2006. Inmates may use articles of clothing and elements such as the steel cross members on the bars of the dormitory walls.

36. Accountability and Reporting of Incidents
All incidents are reported to the shift supervisor as well as to the BIA.

DRAFT

Section 3

Facility Review
June 17, 2006

This is a 48-hour holding facility operating under the consent decree, Silver vs. Pahe, dated November 17, 1992.
The facility is a single-story structure consisting of 7857 sq. ft. It was built in 1960.

1. Exterior Site Conditions
   The exterior site conditions are poor. The facility is located on a busy city street and the general public has access to the facility through the front entrance, Sally port and the detention dormitory.

2. Exterior Exercise/Recreation Area
   An exterior exercise/recreation area is provided but it is not used. The area is in close proximity to the portable units such that it may not be used as a staging area for the evacuation of inmates in an emergency.

3. Exterior Perimeter Security
   The exterior perimeter security is very poor. Part of the exteriors is fenced but the fence gates are left open at all times. Since the building is shared with the Police Department, the general public has access to the front entrance. This front door is left open at all times. Entrance to the detention facility from the front door is secured with an additional door. However, the Sally port doors are left open at all times and the doors to the dormitory cells are left open for the general public to have direct access to the facility. A few cameras monitor the exteriors. However, the camera monitors are located off to the side and on a sidewall away from the peripheral vision of the detention officer at the central control console. The inattentiveness of the detention officers combined with the poor resolution of the monitors cause the recorded activities to go unnoticed.

4. Sally Port Security
   There is no security at the Sally port. The Sally port in and of itself is only a double door around the back of the building. No fence or fence gate serves as a deterrent for direct entry up to the door. The door itself is kept open for ventilation. There is a camera that monitors the activities at the door but as noted above, activities at the exterior of this door go unnoticed by the detention officer.

5. Building Interior Security
The interior security of the building is poor. There are few fixed-lens cameras that monitor the activities at the building. The kitchen is accessible to the trustees. Kitchen utensils and knives are stored in unsecured kitchen drawers. There are no intercommunication devices between the kitchen and the central control console. The cook does not carry a radio for communications.

6. Building Structure
The building structure consists of block-wall construction with a brick veneer. The foundation of the structure is settling down and is noticeable in certain interior parts of the building. The wall structures indicate cracks at a 45° angle.

7. Building Roof
The building has a flat roof that has leaked often in the past. There are several openings in the ceiling cavity that have been left unfinished after such repairs were undertaken. A new roof is needed.

8. Interior Ceilings
The interior ceilings consist of lay-in dropped ceilings, glued-on tile on hard ceilings in the housing area. Interior ceilings are in severe disrepair. Large unsightly openings have been left after repairs in other areas were undertaken. Considerable peeling paint from the hard ceiling in the kitchen may contain lead. Several return air duct grilles are missing.

9. Interior Walls
The interior walls consist of block-wall construction for the housing areas and drywall on wood stud framing for the offices.

10. Interior Flooring
The interior flooring consists of vinyl tile over concrete slab in the office areas and painted concrete slab in the housing area. All flooring is in severe disrepair.

11. Interior Dormitory Cells
There is one male and one female dormitory at the facility. According to the consent decree, these dormitories may contain a total of 11 inmates.

12. Interior Isolation Cells
There are three isolation cells for the females and two isolation cells for the males. According to the consent decree these isolation cells may contain a total of 5 inmates.

13. Interior Detoxification Cells
There is one detoxification cell. According to the consent decree this detoxification cell may contain 18 male inmates. There are no detoxification cells for the female inmates. All female inmates are housed in the isolation

cells. The isolation cells and the detoxification cells are lined with hard surfaces that are detrimental to the intoxicated inmates.

14. Booking and Intake Area
The booking and intake area is a window in the corridor leading from the Sally port door to the housing area. An extended countertop at the window between the corridor and the central controls area serves as the booking space. There is no barrier between the booking officer and the inmate – which puts the booking officer at risk since the inmates are not screened for tuberculosis.

15. Visitation Area
Two small partitions provide a space for the inmates to visit. Inmates have to shout through the small screens located on the opaque barrier between the inmate and the visitors.

16. Kitchen, Food Preparation and Pantry Area
A small kitchen provides three meals a day. Because of a lack of air circulation, the kitchen is generally hot and stuffy. In case of an emergency, the cook cannot communicate with the central control station.

17. Dining Area
There is no specific dining area for the inmates at the facility. Inmates are served their meals at their cells or in the dormitory. A bench in the dormitory provides seating for the inmates.

18. Day Room Area
There is no day room at the facility.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
First aid and medical assistance are provided at the central control station.

21. Toilets and Showers
The toilets and showers are in disrepair and need to be replaced.

22. HVAC System
A combination of rooftop-mounted HVAC units and swamp coolers provide cooling and ventilation for the facility. Heating is provided with electric baseboard heaters located on the walls. The HVAC system is inadequate and in disrepair. The HVAC system needs to be replaced.

23. Plumbing System
The plumbing system is in disrepair. The plumbing lines are encrusted with hard-water salts and provide very low pressure at all of the plumbing

fixtures. The sewer lines are often clogged. There are no rag screen filters at the cleanouts.

24. Lighting System
The lighting system is inadequate and needs to be replaced.

25. Electrical Power System
Electrical power is served from an overhead service rated at 200 amp - 120/240 volts. The service is inadequate and needs to be replaced. The electrical distribution service is underrated for the number of appliances that are presently in use. The entire electrical distribution needs to be replaced. An emergency backup generator needs to be provided. The existing emergency battery-backed egress lighting system is inadequate and needs to be replaced.

26. IT System
The IT infrastructure cabling is in disrepair. A wide number of IT devices have been added to the facility over the years without any consideration for the overall electrical safety. This infrastructure needs to be replaced with appropriately rated IT cabling for use in plenum space.

27. Security System
The security system is inadequate. A system of new cameras and monitors to provide adequate coverage is needed for the facility. All locks for all doors need to be replaced with appropriate electronic locks with manual keyed overrides.

28. Energy Usage and Conservation
The facility does not provide for any energy conservation. All exterior doors are generally left open for ventilation.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is poor at the facility. All inmates cannot be evacuated within three minutes and they cannot be staged in a secured staging area away from the building in an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
Fire extinguishers are located within the building. Testing logs for these fire extinguishers could not be determined. There are no fire alarm or sprinkler systems at the facility.

31. Building Access for Staff and Inmates
The staff accesses the building through the front entrance and the Sally port door. Inmates ingress and egress through the Sally port door.

32. Hazardous Materials
The building of this age is expected to have lead paint and asbestos materials. No records were found that indicate an abatement of such materials was undertaken in the past. Asbestos and lead abatement are needed at the facility.

33. Handicap Access for Staff and Inmates
The building does not have any provisions for disabled staff, inmates or visitors.

34. Potentially Hazardous Elements
Inmates may use articles of clothing and elements such as the steel cross members on the bars of the dormitory walls to hurt themselves.

DRAFT

Section 1

Background Information of the Navajo Reservation Served by the Western Navajo Juvenile Services Detention Center

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review June 16, 2006

1. Funding of Operations
   Funding of operations is provided into a common fund contributed by the BIA PL 638 program and the Navajo Nation. The PL 638 program contributes $1,021,000 annually. Navajo Nation contributes $70,000 annually. In addition, BIA provides an operations and maintenance budget of $158,000 annually. Navajo Nation provides all necessary funds for minor improvements and repairs annually. Fiscal year for BIA begins on October 1, while the fiscal year of the Navajo Nation begins on January 1. Funds provided by the BIA are generally not available to the facility up to nine months after they have been funded, generally until about June of the following year. The facility operates on funds provided in the previous year and/or on a 'line of credit' through a local banking institution. Use of funds from the prior year is considered as justification for not having a need for the funding for the current year. This justification is used to reduce funding for the following year. Thus, there is a chronic shortage of funds at all times. Such a shortfall causes financial hardship for the facility, for often it cannot meet its payroll or provide for the basic necessities such as food and personal hygiene items to the inmates. This compromises the life, safety and security of the inmates and the officers as the administrator continually delays actions that require a cash outlay. The facility is unable to operate in a fiscally sound manner. It relies on charities. It is our understanding that a new financial management system has been set up that causes budgetary delays in the funding at the facility.

2. Funding of Repairs and Maintenance of Facility Structure
   There are no funds designated specifically for repairs and maintenance of the facility structure.

3. Policies and Procedures
The policies and procedures for the facility are not in place at this time. The site has been developing such a document using the Navajo Nation codes and the BIA standards. Yearly reviews are provided by the Department of Justice of the Navajo Nation. However, the facility needs technical assistance through the services of a consultant who is familiar with developing policies and procedures for specific sites.

4. Staffing
Staffing consists of one detention supervisor, four shift supervisors and eleven detention officers. Four of the detention officers have been recently hired. All shift supervisors have the basic training in supervising juvenile detention centers.

5. Programs
The facility provides treatment programs, which include counseling, alcohol and drug assessment and rehabilitation and building life skills. Other programs are provided by religious organizations, and a Ropes program is conducted. A specific Project Adventure program is conducted, a wellness and fitness program, tenants program and an AIDS and HIV awareness program is conducted. A high school education program is also provided by the Grey Hill Academy. Software such as NovaNet is used for the education program.

6. Staff Training
Detention officers are provided with the basic officers' training in Artesia. Four recently hired officers are awaiting such training. In addition to such training, officers are provided with 40 hours of orientation and additional core training classes that include CPR, fire safety, crisis intervention, arresting techniques and suicide prevention.

7. Space for Inmates On-Site
There is sufficient space for the inmates on-site. This includes 36 beds. Of these, 26 beds are assigned for males and 10 beds are assigned for females. At any given time, an average of 8 to 18 inmates are housed at this facility Arrangements are being made to provide access of 10 beds to other tribes at a rate of $110 per inmate per day.

8. Space for Inmates Off-Site
No inmates are sent off-site.

9. Staffing Capacity for the Inmates On-Site
The facility is staffed with 16 detention officers and 12 individuals who serve to administer the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
Patrol officers are requested to provide the transportation and escort of inmates. Detention staff is used to transport and escort the inmates should

such patrol officers be unavailable. Detention officers provide transportation and escort if staff or patrol officers are unavailable.

11. Office Supplies for Staff
The National Relief Charities provides office supplies for the facility.

12. IT Equipment for Office Use
IT equipment for the office use is sufficient at this time. However, the education program needs 15 computer stations and associated software for NovaNet which is used as a basis of the educational curriculum provided by the Grey Hills Academy. Software for each station costs $1500.

13. IT Equipment for Communications Use
Radios are used as a means of communication, all of which are in disrepair at this time. There is a need for 35 new radios with spare batteries and battery chargers.

14. Personal Supplies for Inmates
The facility administrator provides shoes for the inmates through a personal fund, which is not reimbursed. The National Relief Charities provide the remaining personal supplies for inmates.

15. Uniforms for Staff and Inmates
Internal policies have been set up to provide minimal uniforms for the officers on duty. T-shirts and polo shirts are acceptable uniform. No uniform is required for individuals providing rehabilitation at the facility.

16. Linen for Inmates
The facility does not have sufficient funds for the needs of inmates. The National Relief Charities provide clothing, hygiene products and food. However, there is a shortage of funds and the facility often runs out of food for the inmates.

17. Furniture and Fixtures for Staff and Inmates
There are sufficient furniture and fixtures for the use of the staff and inmates.

18. Transportation Vehicles
There are two transportation vehicles that are used to transport inmates. There is a 15-passenger van, Suburban 2002, without a security cage that is often used. An additional van equipped with a security cage is also used for the transport of inmates. The security cage needs to be installed in the van that is not equipped with one at this time.

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles.

20. Utilities for Facility
Disconnect notices have occasionally been received for nonpayment of utilities for the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is insufficient hot water at the facility. There are four 125-gallon capacity hot water heaters that are in disrepair. These water heaters were installed in 1996 and have suffered through continuous misuse by hard water that was not treated. The water softening system has not been working at the facility.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas at the facility.

23. Ongoing Repairs and Maintenance
Items are being processed through the routine process of repairs and maintenance.

24. Deferred Repairs and Maintenance
The project has been a victim of severe neglect since it was built 10 years ago. Deferred repairs and maintenance are noted as follows:

Exteriors
- Trash dumpster is accessible to the general public. Provide a new fence around the trash dumpster.
- Flammable chemicals are stored with nonflammable chemicals and other dry goods in a temporary wood-structured storage shed. Provide a permanent and separate storage unit with a two-hour fire rating for the storage of flammable chemicals.
- Provide additional cameras for coverage and the existing blind spots.
- Enclose all potential weapons such as firewood and rocks that are used for the sweat lodge, with a permanent fence.
- Provide a lock at the Sally port door that does not have one and which is constantly left unlocked and unsecured.

Interiors
- There is no window between the lobby and the reception officer. Provide a bullet-resistant window flush to the countertop and with a depressed opening for transactions through the lobby.
- Provide appropriate cells, restrooms and showers for male and female inmates as well as for the staff and visitors who are handicapped.
- Provide two cameras, one for the lobby and one for the corridor in the admin area.
- Provide panic-hardware at office 96. Install electronic keypad device to control security at the door.
- Provide appropriate padding for the detoxification cell number 140.
- Provide appropriate padding for special management cells in the special management unit. Each cell requires 400 sq. ft. of padding.

- On the common wall between the Sally port and the holding cell, remove existing door, doorframe and all hardware at the existing isolation holding cell 139, which is susceptible to potential suicides. Patch and close such opening with matching concrete wall.
- Painted-over sprinkler head in cell 139 needs to be replaced.
- Provide a new water softening system.
- Provide new hot water piping to the cells numbered 137, 139 and 140.
- Provide appropriate barriers in the visitation area for non-contact visitation.

Central control room area
- Provide cameras in detoxification cells and special-watch cells.
- Provide a high-resolution recording camera at booking.
- Provide an appropriate booking enclosure with a separation barrier between the inmate and the booking officer.
- Replace all monitors with high-resolution monitors.
- Provide new radios batteries and battery chargers.

Courtyard
- Provide three additional high-resolution cameras in the interior courtyard.

MPR
- Repair the non-operative contactor for the partition.

Kitchen
- Provide a secured cabinet for the storage of all utensils and knives.
- Relocate compressors for the walk in refrigerator and freezer from the top of the unit in the plenum space, to a shaded area on the roof.
- Repair the existing convection oven.
- Repair the full disposal unit.

HVAC system
- Provide air balance to the entire facility to secure appropriate air distribution in each of the cells.

Plumbing system
- Flush out all interior plumbing water lines, drains and sanitation sewer lines.

Roofing system
- Patch existing roof in 15 locations.

Electrical system
- Provide 10 new emergency battery-backup lighting units for emergency egress.

- There are 52 wall-pack lighting fixtures installed on the exterior wall, none of which have 0° temperature ballasts. These light fixtures turn themselves off during the cold nights. Install ballasts.
- Provide 48 replacement lamps for the wall-pack light fixtures and 12 replacement lamps for the high-mast lighting in the courtyard.

25. Medical Response at the Facility
A field healthcare nurse provides minimal healthcare checking at the facility. No routine tests are conducted for tuberculosis, HIV or hepatitis. However, inmates can request to go to a clinic. The Tuba City Regional Healthcare Corp. responds when summoned by a 911 call. However, they are limited in their response since they have only two ambulances and often the patient has to wait until an ambulance is available for a response.

26. Booking Process at the Facility
The booking process is adequate at the facility. The facility uses the Eagle software system which works well for the despite the insistence of the Navajo Nation to use the CODY system. The facility has requested more training on the booking software for the detention officers. The software serves only as an internal database and does not connect to any external databases.

27. Food Service at the Facility
The facility provides food services through a small kitchen that is adequate for the present needs. Menus are prepared using a nutrition-analysis software called Nutrikids.

28. Kitchen and Dining Staff at the Facility
Three individuals serve as the kitchen and dining staff at the facility.

29. Housekeeping staff at the Facility
The staff provides cleaning of the office space and other common areas; the inmates clean their own cells.

30. Repairs and Maintenance Staff at the Facility
The Navajo Nation provides repairs and maintenance for the facility.

31. Inmate Services Provided at the Facility
The following inmate services are provided at the facility:
- GED education
- Education through NovaNet software
- Anger management skills
- Life skills
- Wellness and fitness program
- Abstinence only program
- Religious services

32. Healthcare Assistance in the Community
The local hospital provides general healthcare assistance and mental health services.

33. Other Support Agencies in the Community
General education is provided through the Grey Hill Academy.

34. General Reasons for Detention
Most of the incarceration is related to violent crime resulting from the abuse of methamphetamines. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
The door handle at the door in holding cell 139 could be used by inmates to harm themselves. There have been no attempts of suicide at this facility. The Eagle software provides police officers a mental health assessment tool to identify inmates who have a potential for suicide. A routine procedural suicide watch every 15 minutes has been established for inmates who are considered suicidal.

36. Accountability and Reporting of Incidents
Appropriate accountability of incidents is maintained by the detention officer on duty and is reported through the chain of command to the Navajo Nation and the BIA.

DRAFT

Section 3

Facility Review
June 16, 2006

The building is a block-wall structure approximately 25,000 square feet built to house 36 juvenile inmates. It was built in 1996.

1. Exterior Site Conditions
   Exterior site conditions are adequate. The site is set back, though on a busy city street. The general public has access up to the exterior walls and the main entrance at the parking lot.

2. Exterior Exercise/Recreation Area
   The exterior exercise/recreation area is the interior courtyard surrounded by the housing and administrative units. This interior courtyard has a double door that opens into the exterior secured fenced area, which may be used as a staging area for evacuation of inmates in an emergency.

3. Exterior Perimeter Security
   The exterior perimeter security is poor. Several of the exterior lighting fixtures are inoperative and are unlit at night. Lamps of 25 wall-pack light fixture units have been burnt out and not replaced. The high-mast lighting in the interior courtyard has several lamps that have been burnt out and not replaced. A chain-link fence topped with razor wire is provided around approximately two-thirds of the exterior wall. The posts on the chain-link fence are broken and the fence is not a secured to the building walls, leaving large openings that compromise security. Cameras that monitor the perimeter do not provide sufficient coverage or resolution. The exterior perimeter wall has several protuberances as a result of its basic design. These contours create a number of locations that facilitate obscurity from the fixed directional lens of cameras. The several blind spots around the perimeter compromise security.

4. Sally Port Security
   The Sally port is insecure. The door operators for the rollup doors are in disrepair. One of the rollup doors does not operate. The lock mechanism at the person door at the Sally port has been removed and is left unlocked at all times.

5. Building Interior Security
   Interior security of the building is fair. A number of cameras monitor specific areas of the building. Being a juvenile facility, a number of areas are not expected to be monitored. Camera monitors are located high up and on to the side at the Central control station where they are generally not

within the peripheral vision of the detention officer who is busy with the computer station and concentrates directly on the windows up front from the Sally port entrance. These front windows across from the Sally port entrance have large openings at the bottom of the glazing. These openings provide an uninterrupted countertop to facilitate booking. The openings are sufficiently large so that the security and health of the booking officer is compromised.

6. Building Structure
The building is a block-wall structure approximately 25000 sq. ft., which was built in 1996.

7. Building Roof
The building has a flat roof which is generally in good repair except for certain isolated areas that require repair at this time.

8. Interior Ceilings
Interior ceilings are lay-in ceilings at the offices and work areas. The kitchen has a washable lay-in ceiling that could compromise security. All housing units have hard ceilings.

9. Interior Walls
All walls are of CMU block-wall construction.

10. Interior Flooring
All interior flooring is in good repair except at the raised flooring at the two Central control stations where the surfacing has worn out. Generally the interior flooring in the common areas consists of vinyl tile on concrete slab. The housing units have a washable floor finish surface on a concrete slab.

11. Interior Dormitory Cells
There are two small dormitory cells, one each for the boys and girls. Most of the housing consists of individual cells. There are a total of 36 beds, 26 of which are assigned for boys and 10 for girls.

12. Interior Isolation Cells
There are four special management cells.

13. Interior Detoxification Cells
There are two detoxification cells that can accommodate up to 10 individuals.

14. Booking and Intake Area
Booking and intake is generally conducted in the corridor between the Sally port door entrance and the countertop window at the Central control station. A small room nearby serves as an intake/exit interview room that also provides a camera.

15. Visitation Area
There is no specific visitation area. A small space with a few chairs adjacent to the staff lockers serves as the visitation area for the inmates and visitors.

16. Kitchen, Food Preparation and Pantry Area
A kitchen, food preparation and pantry area is provided. Deferred repairs and maintenance have been noted earlier in Section 2.

17. Dining Area
Inmates dine at the multipurpose room/gymnasium/dining area, or at the common areas adjoining their cells. This area also serves as a day room for the cluster of cells around it.

18. Day Room Area
The common areas adjoining the cells and the dormitories serve as the day room area. In addition a multipurpose room/gymnasium also serves as a day room.

19. Vocational Training Area
Vocational training is provided in several classrooms and a computer lab.

20. First Aid and Medical Assistance Area
The first aid and medical assistance area is adequate.

21. Toilets and Showers
The toilets and showers are generally adequate.

22. HVAC System
The HVAC system consists of individual roof-top mounted units. Air distribution is inadequate and certain areas are either too hot or too cold.

23. Plumbing System
The entire plumbing system has not been maintained and needs to be flushed out.

24. Lighting System
Lighting in the staff and inmate areas is sufficient and adequate.

25. Electrical Power System
The electrical power system consists of a 1000 amp - 480Y/277 volt three phase, four wire system which is adequate for the needs of the facility. A90 KW generator serves as a backup source in case of an emergency.

26. IT System
The IT System consists of several computers at the computer lab as well as individual computers at each of the two control stations.

27. Security System
The security system is inadequate. Additional cameras need to be provided. All perimeter security fencing needs to be repaired and upgraded. Appropriate security transportation cages need to be provided in the transportation vans. The rollup door and the person door at the Sally port need to be repaired. The inoperative exterior door with malfunctioning panic hardware needs to be repaired.

28. Energy Usage and Conservation
The facility was designed with little consideration for energy conservation in the building structure, lighting or HVAC systems. There is little awareness of energy conservation.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress paths are appropriate. Generally inmates will be evacuated into the central courtyard which provides egress to the fenced area outside the building.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
A fire alarm and sprinkler system are provided throughout the building. Fire extinguishers are located at appropriate intervals and at the control stations.

31. Building Access for Staff and Inmates
The staff accesses the building through the front entrance. Inmates are escorted through the Sally port entrance.

32. Hazardous Materials
Hazardous materials such as lead paint or asbestos are not reported in the building.

33. Handicap Access for Staff and Inmates
The facility is accessible by staff, visitors and inmates who are handicapped.

34. Potentially Hazardous Elements
Inmates can harm themselves using the corner posts of bunk beds in the dormitories. Inmates can harm themselves by using the door handle in the holding cell 139.

Section 1

Background Information
of the
Navajo Reservation
Served by the Window Rock Detention Center

The background information for the Navajo Nation is provided earlier, in Section 1, Chinle Adult Detention Center.

Section 2

Program Review
June 30, 2006

This is a 48-hour holding facility operating under the Consent Decree, Silver vs. Pahe, dated November 17, 1992.

1. Funding of Operations
   Funding is provided by a combination of PL 638 funds from the BIA and tribal funds.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for the repairs and maintenance of the facility is provided by the Navajo Nation.

3. Policies and Procedures
   The Operating Standards have not as yet been approved by the Department of Justice at the Navajo Nation. These were submitted about two years ago. Policies and procedures will be derived from these Operating Standards once they are approved. There are no policies and procedures in effect at this time at this facility.
   Lack of such policies and procedures causes incidents such as these:
   The side door used as a Sally port is constantly left open including the time when an inmate has been escorted for booking by a law enforcement officer. It was noticed that the law enforcement officer's vehicle was idling with the keys in the ignition while the Sally port door as well as all of the gates in the perimeter fence were open.
   It is common practice for the law enforcement officers to remove confiscated alcoholic beverages from their squad cars, pour the contents near the dumpster and dump the partially empty bottles in the dumpsters. The released inmates then have free access to the dumpster and the partially emptied alcoholic beverages left by the law enforcement officers.

4. Staffing
There are a total of ten full-time detention officers at this facility. Six of these officers are certified while the others are awaiting certification. There are three full-time cooks at the facility.
Salary range for the detention officer begins at $8.60 per hour and increases to $11.10 per hour after 26 years of continuous service as a detention officer.

5. Programs
Behavioral Health Services provides STD screening. Church services are provided.
Sweat Lodge Counseling is provided. Alcoholics Anonymous (AA) counseling and substance abuse counseling are also provided.

6. Staff Training
Staff training is minimal. Three of the applicants were turned down for staff training during the past year.

7. Space for Inmates On-Site
There are 64 beds for male inmates and 32 beds for female inmates at this facility. There were a total of 31 inmates at about noon on the day of the visit. This number rose to 68 inmates at a follow-up visit at 4:30 a.m. the following morning. There were two detention officers at that time. The 68 inmates were 'packed' on every horizontal space in the dormitory cells. This included two individuals on a single bunk bed and several individuals on the only available floor space below the bunk beds. The foul stench was extremely high at this hour with the crowded condition, which was a far cry from the prior visit during the afternoon on the previous day.
The detention officer reported that this number will increase significantly, since 4:30 a.m. on a Saturday morning is just a start for the weekend. The detention officer also reported that she will start releasing inmates based on her best judgment – but without specific court orders, to accommodate the oncoming crowds. The inmate count reaches a maximum prior to dawn but this inmate count does not show up in any statistics since the inmate count is reported by the facility after the detention officer has released a number of inmates to make room for the next group of inmates for the day. Inmates may only be held for up to 48 hours as decreed by the courts in November 1992.
The detention officer reported that there were 80 inmates at this facility on January 1, 2006 and 138 inmates during Fair time in 2005.

8. Space for Inmates Off-Site
Inmates are not sent off-site. Closing down of the detention facility in Tuba City has caused an additional demand for detention space in the surrounding areas. Inmates from other facilities at the Navajo Nation are sent to Gallup, New Mexico.

9. Staffing Capacity for the Inmates On-Site

There are two to three detention officers on the shift at a time. This is insufficient for the number of inmates at the facility. Several officers perform overtime work and many of these officers work extra hours that are never recorded or paid.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide for all of the transportation and escort of the inmates to the Federal facilities, County facilities, Mental Health facilities and Indian Health Service. The distance to these facilities is between 100 to 200 miles and an officer could use a good part of the day in transporting just one inmate to one location. Occasionally law enforcement officers help out with such transportation. However, they too are understaffed and often may not cooperate.

11. Office Supplies for Staff
The facility does not have sufficient office supplies for staff. The staff uses their own funds to purchase items such as pencils, papers, pens and tape. The staff also seeks donations from the local charities and churches. The staff gathers unused notepads, pencils and toiletries from their visits to the hotels and motels.

12. IT Equipment for Office Use
There are four computer stations with monitors for routine use at the facility. Two additional but temporary computer stations with monitors were in use at the time of the visit. All six computers were loaded with CODY software.

13. IT Equipment for Communications Use
Presently all ten officers have radios for internal communications. These radios are used as security devices for the officers when they are in the facility and as a way to communicate with law enforcement officers escorting new inmates into the facility. However, ten more radios, battery chargers and microphones with push-to-talk switches are needed.

14. Personal Supplies for Inmates
Personal supplies for inmates are in short supply for lack of funds. The facility depends on charities to assist with the needs of personal supplies for the inmates. At this time more toothpaste is needed for the inmates.

15. Uniforms for Staff and Inmates
For lack of funding, officers have not been funded for uniforms for the past two years. Uniforms for the inmates are sufficient for now but they are wearing out. Inmates are not expected to clean themselves up and not provided with uniforms for about the first 24 hours with the expectation that they will be out after that.

16. Linen for Inmates
The facility has run out of blankets for the inmates. Worn-out blankets are used. However, inmates use them to unravel the yarns that could be braided into ropes to harm themselves.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff and the inmates are old but serviceable for now. However, furniture for the staff needs to be replaced in the next 12 months.

18. Transportation Vehicles
Two vehicles are used for transportation. The 2004 van with a cage and a 2001 Blazer without a cage are used. The inmates are occasionally shackled, but not always, when being transported.

19. Fuel for Vehicles
There is sufficient fuel for the vehicles.

20. Utilities for facility
There is sufficient funding to pay for the utilities for the facility. The facility is served electricity, water and natural gas.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is not enough hot water for the use in kitchen, laundry and showers. There is no hot water at all on the female side. Apparently a hot-water circulating pump was removed three years ago, from the hot-water line and has not been replaced as yet. The hot-water line to the female side has been disconnected in the plumbing chase near the female cells. Water pressure is low at all the sinks. Water temperature is cold for all the showers.
Hot water is served from the mechanical room in the basement. There are two hot-water tanks in the mechanical room and a boiler that is only five years old. Temperature of the hot water from one of the tanks was noticed to be low. This was increased at about 5:30 p.m. on the day of the visit. However, the temperature at the showers next morning was tested at 4:30 a.m., and it was still cold. This leaves the possibility that all of the piping is crusted with salts from the hard water at the site. The salts were evident from the drips that had dried over where a circulating pump was removed on the female side. There is no water-softening system at the facility.
For the past two years, the detention officers have been appeasing the female inmates for lack of hot water. Inmates are told that, "we are working on it." The effects of the lack of hot water could worsen in the wintertime when hot water is needed to heat the building.

22. Adequate Lighting for Inmate and Staff Areas
There is inadequate lighting for the inmates and staff area. The facilities were ordered in 2003 to disconnect one lamp out of every two lamp fixtures, in theory, to extend the life of the remaining one lamp that is still lit.

23. Ongoing Repairs and Maintenance
There are outstanding repair orders to "unplug the kitchen drains."

24. Deferred Repairs and Maintenance
This building was built in 1961 and has never had the benefit of any routine repairs or maintenance over the last 45 years. The accumulated list for deferred repairs and maintenance is a result of neglect and changing requirements for detention, over the last 45 years.

This list reflects only the detention side of the building. The building also houses the courts on the second floor and law enforcement and other administrative offices across the lobby on the first floor. The building also has a large basement that houses the mechanical room for the entire building. The prorated square footage for the detention is approximately 8800 sq. ft., with an additional 1715 sq. ft. that is used for storage in sheds that are located outside the building. However, the entire building is approximately 25000 sq. ft.

The building has outlived its useful life. Nonetheless the following list is presented for calculations of costs of repair of the detention side, at this facility:

1. All distribution of the electrical, mechanical plumbing and sewer systems need to be replaced.
2. Install filter rag traps at all sewer cleanouts and grease traps at kitchen drains.
3. All 16 combi-sink-lavatory units and 8 shower stalls need to be replaced.
4. Mechanical units and heat exchangers to provide heating with air instead of hot water.
5. A water softening system is needed.
6. All the flooring needs to be replaced.
7. Central control station has to be reconfigured and moved back and away from the direct access from the general public.
8. The booking and intake area has to be completely redesigned and relocated.
9. A new camera system with recording cameras and high-resolution monitors are needed for the interior and exterior security.
10. A sprinkler system is needed for the facility. Note: This will be difficult to surface-mount in a block-wall construction and yet conceal all of the plumbing in the housing units without compromising security and a potential of inmates harming themselves.
11. Extra storage space is needed to replace the five exterior sheds and the insufficient storage in the offices.
12. The kitchen has to be enlarged to facilitate the refrigerators and freezers that are at this time located outside the building.
13. The exercise yard and the sweat lodge yard need to be secured.

14. An enlarged and secured space needs to be created to evacuate the inmates in an emergency.
15. All exterior fencing needs to be replaced and provided with electrically operated fence gates.
16. Add an appropriate fenced and secure Sally port with vehicle sensors and keypad operated gates for inbound and outbound vehicles with inmates.
17. For ADA compliance, include appropriate ramps, toilets and showers for staff, inmates and visitors at the facility.
18. All the crumbling structural fins from the exterior walls need to be removed.
19. The settling exterior walls and the foundation need to be stabilized.

25. Medical Response at the facility

There is a medical exam room that lacks a sink. Minor medical treatment is provided at this facility. Inmates are not tested for TB, HIV or hepatitis.

26. Booking Process at the Facility

Booking is conducted in an open space around a countertop near an exterior door. The freestanding countertop is not well anchored and sways when leaned on. Fingerprinting is done using the old ink system while a new fingerprint machine has been installed and awaiting appropriate 40 hours of training by the staff. The computer station is loaded with the Cody software. All records are kept on manual logs and the computer system serves as a backup.

There are no barriers between the inmate and the booking officer. Inmates have been known to spit on the booking officer and have compromised the officer's safety and security.

27. Food Service at the Facility

A small kitchen provides three meals a day, seven days a week.

Food is in short supply. The carefully planned menu posted on the refrigerator is often ignored and is for the benefit of visitors. At the time of the visit, the detention supervisor reported that there was a total of about $6.40 left to purchase food, in the three food accounts with the three food suppliers. To make ends meet, the facility had been 'borrowing' food from other detention facilities for the past few days. At the end of the visit at 7:30 p.m. on Friday night, the supervisor reported that she had received earlier in the day an approval of a purchase order for food with the three food suppliers for the total of $2000. She went grocery shopping after our visit. A follow-up review at 4:30 a.m. on Saturday morning revealed more food in the refrigerators than on the previous day.

Kitchen drains have constantly been plugged up. Kitchen cleaning supplies are kept in unlocked plumbing chases. Kitchen knives and utensils are partly kept in a locked cabinet as reviewed on the day of the visit. The staff was warned at about 4:30 p.m., of the dangers of leaving utensils and knives in unlocked areas. However, a second review at 4:30 a.m. next morning, revealed knives and utensils in an insecure plastic bin with the rest of the

pots and pans. The kitchen is accessible to the inmates who provide cleaning services.

28. Kitchen and Dining staff at the Facility
Three cooks provide all of the cooking at this facility. The cooks are trained as food handlers and one cook is certified in the culinary arts from the college of San Juan.

29. Housekeeping Staff at the Facility
The inmates and staff provide the housekeeping at the facility.

30. Repairs and Maintenance Staff at the Facility
A shared maintenance staff serves the facility for routine repairs and maintenance.

31. Inmate Services Provided at the Facility
Behavioral Health Services provides STD screening. Church services are provided.
Sweat Lodge Counseling is provided. Alcoholics Anonymous (AA) counseling and substance abuse counseling are also provided.

32. Healthcare Assistance in the Community
The community is provided with Indian Health Services, the use of two ambulances and a fire department, all of which provide healthcare assistance to this facility.

33. Other Support Agencies in the Community
Behavioral health services are provided in the community.

34. General Reasons for detention
Lately most of the incarceration is related to violent crime resulting from the abuse of methamphetamines. The crime rate at the Navajo Nation is 237, 911 and 62,232 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates may use articles of clothing and worn-out blankets to hurt themselves. There are a wide number of locations and devices that the inmates may use to hurt themselves, such as drain holes on the steel pans for the bunks, corner posts of bunk beds, hard surfaces in the detoxification cells, unsecured chemicals in the kitchen, unsecured knives and other utensils in the kitchen, bars and steel cross members used as walls in all of the dormitories, electrical cords used for radios and circulating fans in the dormitories and kitchens.

36. Accountability and Reporting of Incidents
All reports of incidents are reported to tribal law enforcement.

Section 3

Facility Review
June 30, 2006

This is a 48-hour holding facility based on the Consent Decree, Silver vs. Pahe, dated, November 17, 1992.

1. Exterior Site Conditions
   The exterior site conditions are poor. The facility also houses the courts and law enforcement within the same building. Being a public building it allows public access. The general public has access all around the building, including the front door and receptionist window at the lobby entrance.

2. Exterior Exercise/Recreation Area
   The exterior exercise/recreation area can be accessed by the general public. This exercise/recreation area, which is located adjacent to the building, cannot serve as a space to evacuate inmates during an emergency.

3. Exterior Perimeter Security
   There is no exterior perimeter security. There is a gated chain-link fence, the gate of which has not been closed in years. There is a camera above the side door which also serves as the Sally port door.

4. Sally Port Security
   There is no Sally port. Officers park their car by the side door. The side door serves as the inmate entrance to the building. There is a camera above the door.

5. Building Interior Security
   Interior security of the building is very poor. The general public can walk right into the detention control station through the generally open front entrance doors at the detention control station and the lobby. The front entrance of the detention control station was found wide open at 4:30 a.m. The front entrance door at the lobby is kept unlocked to allow individuals to sleep the night in the lobby and freshen up in the public restrooms available at the law enforcement. These doors were found unlocked at 4:30 a.m. and throughout the day. There is no security glazing at the reception window. There are about 10 cameras in the building that are monitored. The detention control station also serves as the reception desk through the lobby entrance. The camera monitors are located at the detention control station at a height that does not lend itself for viewing by officers who are working on the countertop below and on to the side. The fire alarm control panel is located in the hallway where it could not be monitored. Several camera monitors

indicated either no reception from a camera or poor resolution. The cameras do not pan, tilt or zoom. There are no recording cameras.
The cell doors are mechanically keyed. The dormitory doors are activated with the mechanical counter-lock mechanism and keys. The inmates cannot be evacuated in three minutes.

6. Building Structure
The building structure consists of block-wall construction. Concrete used as decorative fins has crumbled. There are several signs of severe structural stresses leading to a settling of the structure.

7. Building Roof
The building has a flat roof. There have been no reported leaks.

8. Interior Ceilings
The interior ceilings consist of hard concrete and steel panels in the housing area and drywall in the office areas.

9. Interior Walls
All interior walls are of block-wall construction.

10. Interior Flooring
Interior flooring in the housing area is painted concrete. Elsewhere, all flooring is vinyl tile and concrete.

11. Interior Dormitory Cells
There are two dormitories for the males and one dormitory for the females. The dormitory cells use barred walls.

12. Interior Isolation Cells
There are three isolation cells generally used by the male inmates. The cells have full-height steel doors with a pass-through food slot.

13. Interior Detoxification Cells
There is a detoxification cell, one each for male and female inmates. The detoxification cell is bare. All walls floor and ceilings are hard surfaces.

14. Booking and Intake Area
The booking and intake area is a space off the main corridor located close to an exterior side door. A freestanding wood counter provides a low barrier between the officer and the inmate. The space is very small and inappropriate for its use. There is insufficient room for a fingerprint machine, a breath alcohol analyzer, cameras and physical space to restrain, should it be needed. There is no physical barrier between the officer and the inmate. Incoming inmates are not screened for existing medical conditions and have been known to spit on the booking officer.

15. Visitation Area
There is no visitation area. Three visitation windows on one of the side walls at the detention control room were set up for visitation with the visitors in the detention control room and inmates on the other side. Two of these windows have been blocked off. One window is still in use. The visitation area is inappropriate.

16. Kitchen, Food Preparation and Pantry Area
There is a very small kitchen, food preparation and pantry area for the number of inmates housed at this facility. Freestanding refrigerators and freezers are located outside the building for lack of space adjacent to the kitchen. There is insufficient space for storage of dry food, pots and pans and utensils. There are no secure cabinets for the storage of knives and other sharp objects that could be used as weapons.

17. Dining Area
There is no specific dining area for the inmates. Inmates are served either in their cells or in designated common area located adjacent to their dormitory cells.

18. Day Room area
There is no day room for inmates.

19. Vocational Training Area
There is no vocational training area for inmates.

20. First Aid and Medical Assistance Area
A very small room off the detention control room serves as a medical exam room. The space provides basic first aid and medical assistance and is equipped with a medical exam table. There is no sink or washbasin in this space.

21. Toilets and Showers
All toilets and showers are in disrepair. Toilets generally consist of stainless steel combination toilet-sink units. Most of these units do not operate. The stench from inoperative sink units is unbearable. The shower stall consists of stainless steel stalls with a push-button showerhead operating unit. Most of these push-buttons do not operate and allow the shower to run continuously or not at all.

22. HVAC System
The HVAC system does not provide sufficient cooling or heating for the spaces. Circulating fans are used to provide some air movement. Secured doors are often kept wide open to allow for ventilation in the space. Cells with steel doors are unbearable if the door is closed. Pneumatic controls for the HVAC system are in disrepair. Thus there is poor air distribution within the facility. There is no ventilation for the dryers at the laundry.

Heating is provided by baseboard heaters located on the walls around the cells. The heat exchangers in these baseboard heaters use circulating hot water. There is a no hot water on the female side and limited hot water on the male side. Thus there is insufficient heating for the number of inmates in the housing unit.

23. Plumbing System
The plumbing system is in disrepair. Distribution piping is encrusted with hard-water salts that have not been attended to for the last 45 years. The hot-water line at the female side has been disconnected. There is no hot water available at the laundry. There is no system at the facility to treat hard water. As such there is very low pressure at all of the sink combination units. The sanitation sewer lines are constantly plugged for lack of rag screens at any of the cleanouts. There are no grease traps at the kitchen.

24. Lighting System
Lighting is generally sufficient for the staff and inmates.

25. Electrical Power System
A common electrical power system serves the entire building. A backup generator is provided to serve in case of a power failure. There are no logs for the routine testing of the emergency generator. The electrical distribution is insufficient for the number of electrical devices and appliances that are in use at this facility. The electrical distribution at the detention control center is inappropriate for its use.

26. IT System
The IT system is adequate.

27. Security System
The security system is insufficient and inadequate. The cameras and monitors are in disrepair and do not monitor locations that need to be monitored. The monitors are located in the detention control room at a height where they are not monitored by the detention officers.

28. Energy Usage and Conservation
There is no awareness of energy conservation at this facility. The facility still operates as it did 45 years ago.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is poor. Inmates cannot be evacuated in three minutes to an exterior secured space in case of an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system with smoke detectors and a fire alarm control panel located in the corridor. There are fire extinguishers. There is no sprinkler system. There is no formal routine testing for the system. The dates of the last test could not be determined.

31. Building Access for Staff and Inmates
Staff and inmates use both the front entrance through the lobby and the side door. The side door opens directly into the corridor of the detention facility with the booking space located about 15 feet from this door.

32. Hazardous Materials
The building was built at a time when the use of asbestos and lead paint was quite prevalent. No records were found for the abatement of asbestos or lead paint from the building.

33. Handicap Access for Staff and Inmates
There are no provisions for the use of the facility by staff or inmates who are handicapped.

34. Potentially Hazardous Elements
Inmates may use articles of clothing and worn-out blankets to hurt themselves. There are a wide number of locations and devices that the inmates may use to hurt themselves, such as drain holes on the steel pans for the bunks, corner posts of bunk beds, hard surfaces in the detoxification cells, unsecured chemicals in the kitchen, unsecured knives and other utensils in the kitchen, bars and steel cross members used as walls in all of the dormitories, electrical cords used for radios and circulating fans in the dormitories and kitchens.

DRAFT

Section 1

Background Information of the Fort Hall Reservation Served by the Fort Hall Detention Center

Fort Hall Reservation[1]
Federal reservation
Shoshone-Bannock Tribes of the Fort Hall Indian Reservation
Bannock, Bingham, Caribou, and Power counties, Idaho

Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho
P.O. Box 306
Pima Drive
Fort Hall, ID 83203
888-297-1378
208-237-0797 Fax

Total area (BIA realty, 2004) 522,671.07 acres
Total area (EPA) 547,570 acres
Tribally owned (BIA realty, 2004) 271,775.42 acres
Individually owned (BIA realty, 2004) 218,263.77 acres
Federal trust (BIA realty, 2004) 32,632.88 acres

Population (2000 census) 5,762
Tribal enrollment (Tribal source, 2003) 4,673

Total labor force (2000 census) 2,363
High school graduate or higher (2000 census) 73.3%
Bachelor's degree or higher (2000 census) 6.3%
Unemployment rate (2000 census) 16.1%
Per capita income (2000 census) $11,309

LOCATION AND LAND STATUS
The Fort Hall Reservation is located in the eastern Snake River Plain of southeastern Idaho. It is comprised of two separate segments that lie north and west of the town of Pocatello. The Snake River, Blackfoot River, and the American Falls Reservoir border the reservation on the north and northwest.

[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.

The reservation was established by an Executive Order under the terms of the Fort Bridger Treaty of 1868. It originally contained 1.8 million acres, an amount that was reduced to 1.2 million acres in 1872 as a result of a survey error. The reservation was further reduced to its present size through subsequent legislation and the allotment process.

PHYSICAL DESCRIPTION
Topography ranges from relatively lush river valleys to rugged foothills and mountains. Elevations vary from 4,400 feet at the American Falls Reservoir to nearly 9,000 feet in the southern mountain areas.

CLIMATE
The nearby town of Pocatello experiences summer temperatures ranging between 68°F and 88°F. The winter temperature often drops into the low teens. Average rainfall is 11.5 inches per year. The snowy season lasts from September through May with an average of 43.3 inches.

GOVERNMENT
The tribes are organized under the 1934 Indian Reorganization Act, and they operate under a constitution approved on April 30, 1936. The charter was ratified the following year.

The tribe is governed by the Fort Hall Business Council. The council includes seven members elected by the general membership to two-year terms. It maintains authority over all normal business procedures, including the development of lands and resources, and all matters of self-government.

The tribes operate numerous governmental departments and programs. They include the administration, credit energy, education, employment and training, election board, emergency management and response, enrollment, finance, property management, fire, fish and wildlife, Head Start and early childhood, land alliance, land use, transportation, tribal construction, health human services, T.E.R.O., tribal planning, utilities, and water resources departments, among others.

The tribes maintain their own judicial system with a Law and Order Commission providing oversight, a tribal courts system, an attorney's office, and a police department. The federal government maintains authority over crimes that fall under the Major Crimes Act. The tribes may share jurisdiction over such matters. The state of Idaho exercises jurisdiction, under P L 280, over civil and criminal matters on the reservation such as truancy, juvenile delinquency, child welfare, matters of mental illness, public assistance, domestic relations, and matters involving motor vehicles. The tribes maintain jurisdiction over issues of personal property, water rights, ownership of property, treaty rights, and tribal land rights. The tribes are in the process of developing a tribal justice center to house all branches of the judicial system.

INFRASTRUCTURE
Interstate 15 crosses the reservation north-south, while Highway 84/86 crosses in an east-west direction.

The reservation is also crossed by the main line of the Union Pacific Railroad and a north-south line connecting to Montana and Utah.

The Pocatello Airport, located on reservation land that was alienated under the World War Two Powers Act, provides an all-weather instrument-certified runway for large commercial aircraft.

Electricity – Electricity is provided to the reservation by the Idaho Power Company.

Fuel – Natural gas is supplied by the Intermountain Gas Company.

Water Supply – The Fort Hall Water and Sewer District supplies the reservation with water and sewer service in the form of a large lagoon located north of the Fort Hall town site. Because of agricultural chemical contamination of much of the reservation's groundwater, a domestic water supply system is being constructed to serve the core area of the reservation. Outlying residents rely on wells and septic tanks.

Transportation – The tribes have contracted with the BIA for their roads program, including planning, maintenance, and construction.

The tribes maintain a number of school buses to transport of students to schools within the tribal school district.

Commercial air service is available at the Pocatello Municipal Airport on the reservation. Commercial bus lines also serve the reservation directly, as do the Union Pacific Railroad and numerous truck lines.

Telecommunications – A site on Ferry Butte, north of Fort Hall, commanding a 50-mile radius, is leased out to communications service providers and is used for police, fire, and public safety communications.

COMMUNITY FACILITIES AND SERVICES
The tribes maintain a Human Resource Center, a Tribal Business Center, and a Multipurpose Center for various tribal activities and meetings.

Education – Students attend schools on the reservation that are operated under tribal school district no. 512. A new high school was built in 1992.

Health Care – The Indian Health Service runs a large health clinic at Fort Hall, while there are hospitals in Pocatello and Blackfoot.

The tribes acquired 6.6 million dollars to construct the Not-tsoo Gah-Nee Health Care Center. This federal clinic provides services to approximately 16,000 people, not only

to members of the Shoshone-Bannock tribes but also to other eligible federally recognized Indians in southeastern Idaho. The tribes now operate a variety of health programs including: a community health representatives program, counseling and family services programs, alcohol and drug programs for adults and youth, social services, (nutrition, education, preventative health, community health nursing, a contract health service program, and some medical, maternal and child health, and recreational programs.

Traditional healing medicines and ceremonies continue to be honored by many tribal members. Medicine persons are still consulted and often collaborate with Euro-American medical practitioners to treat Native patients.

DRAFT

Section 2

Program Review
April 7, 2006

1. Funding of Operations
   BIA provides $1.3 million through the PL 638 program, which is added to a contribution of $0.9 million from the tribe, for total of $2.2 million budget for the year for all law enforcement. Of these funds, Operations for Detention are allocated $505,000 in addition to the direct and indirect costs for the O&M, operations and maintenance of the detention facility. The facility operates both an adult and juvenile detention program.

2. Funding of Repairs and Maintenance of Facility Structure
   The total funding for repairs and maintenance of the facility structure that includes police, dispatch and detention is $96,134.

3. Policies and Procedures
   The facility uses policies and procedures from the BIA handbook. Additional procedures are added to accommodate local religious practices. Religious services are held in the courtroom. Local preachers participate in such services. A sweat lodge is operated through the chemical dependency program. Practices such as smudging with sage, cedar and sweetgrass are conducted at the facility.

4. Staffing
   Three certified and three non-certified detention officers serve at the facility. Two vacancies for the staff are being presently advertised. This staff is supported by one cook and two patrol officers.

5. Programs
   The facility conducts programs that include: 1) Counselors for family counseling services, 2) Schoolteachers educational program and 3) Tribal Youth Rehabilitation program.

6. Staff Training
   Staff training is provided at the facility. This includes 1) Weaponless defense classes, 2) O.C. – Pepper spray and handcuffing, 3) First aid – CPR, 4) FTO training as an instructor and 5) Intoxification – 5000 training.

7. Space for Inmates On-Site
   There is insufficient space for the inmates on-site. The detention facility consists of three cells for the juveniles, four cells for adults and two small dormitories. Routinely the space accommodates 30 individuals with a peak

of 43 inmates on April 5, 2006. On the day of the visit, 18 inmates were housed at this facility. The facility was built as an alcohol rehabilitation center but was never used in that manner, for the community had an excess of criminals and needed a place to house them. A portable cell addition was set up for the juveniles on a temporary basis, but this has continued as a permanent addition.

8. Space for Inmates Off-Site
Inmates are not housed off-site.

9. Staffing Capacity for the Inmates On-Site
There is a shortage of staff at the facility. This may be attributed to a lack of qualified individuals who are available and the low salaries offered to prospective officers. At present two vacancies for full-time officers are being advertised.

10. Staffing Capacity for Transportation and Escort for Inmates
There is a shortage of staff to transport and escort inmates. Both patrol officers and detention officers assist in the transportation of inmates. Administration is reluctant to pay overtime charges and thus the same on-duty detention officer provides transportation for inmates. Very often this leaves only one detention officer in charge for an extended period of time – up to 35 inmates (in excess of 29 adults and in excess of 5 juveniles) at the detention facility.

11. Office Supplies for Staff
Office supplies are sufficient at the present time.

12. IT Equipment for Office Use
IT equipment is generally sufficient for the present time. Most of the computers are two-years old and are in good operating condition. There is an urgent need to procure jail management software such as the Spillman Management Software System that has been quoted for $ 73,586 for one license.

13. IT Equipment for Communications Use
The facility has procured a COPS grant and funding from Homeland Security for new 700 MHz equipment for 14 mobile and 14 hand-held radios. At the present time there is no additional request from the detention staff for 'panic alert and assistance warning' system.

14. Personal Supplies for Inmates
Personal supplies for the inmates are generally supplied by the family. The facility provides such supplies, should there be no contribution from the family.

15. Uniforms for Staff and Inmates
Uniforms for staff and inmates are adequate. Officers receive an allowance for uniforms up to twice a year or if a uniform is worn out. Depending on their status, inmates use red or yellow jumpsuit uniforms. The supply of inmate uniforms is adequate at this time.

16. Linen for Inmates
There is a sufficient supply of sheets, blankets, pillows and mattresses at the facility.

17. Furniture and Fixtures for Staff and Inmates
The tribe provides furniture for the staff from the surplus furniture storage warehouse except for chairs, which are purchased new. There is no 'detention furniture' for the inmates.

18. Transportation Vehicles
There is no specific transportation vehicle for use by the detention facility. A van or patrol car is borrowed from the police for the transportation of inmates. The van is 27 years old, a 1979 model and is in disrepair and very unreliable. A courtroom is part of the detention facility. Court is held on all weekends and is staggered so that the facility does not have to have inmates waiting for court appearance on Mondays.

19. Fuel for Vehicles
There is no funding for fuel.

20. Utilities for Facility
Funding for utilities for the facility is adequate.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water for the kitchen, laundry and showers. A natural gas hot-water heater provides sufficient hot water for all of the needs at the facility.

22. Adequate Lighting for Inmate and Staff Areas
There is insufficient lighting for the inmate and staff areas at the facility. All lighting at the facility is the original lighting that was installed in 1973. Fluorescent fixtures provide insufficient lighting since all lenses for these fixtures have yellowed out from age.

23. Ongoing Repairs and Maintenance
Repairs and maintenance are not attended to in a routine matter. Funding for such items has fallen victim to the tribal procedures for the allocation of indirect costs for the facility.

24. Deferred Repairs and Maintenance
There are a number of items that need repairs and maintenance. The seals need to be replaced for all walk-in freezers and coolers. All HVAC heating

and cooling equipment and associated ductwork need to be replaced. The aging backup generator is unreliable and needs to be replaced.

25. Medical Response at the Facility
A first-aid kit is provided at the facility. There is no specific area to provide medical assistance at the facility. Inmates have to be transported to a medical facility for all of their healthcare needs.

26. Booking Process at the Facility
There is no specific location for booking and intake at the facility. Booking is conducted in the corridor that extends from the makeshift Sally port. There are no cameras and all bookings are conducted in the open, which compromises the security of the officers.

27. Food Service at the Facility
There is a small makeshift kitchen at the facility. Supporting food service areas and kitchen equipment are scattered in several makeshift locations. Dry storage for food products is set up behind the booking area and refrigerator/freezers are located outdoors. Kitchen knives and utensils are stored in unsecured countertop drawers in the kitchen.

28. Kitchen and Dining Staff at the Facility
The facility employs the services of one full-time cook. Detention officers or trustees assist with kitchen duties in the absence of the cook.

29. Housekeeping Staff at the Facility
The detention staff provides housekeeping for all of the office areas and the inmates provide housekeeping for the housing area.

30. Repairs and Maintenance Staff at the Facility
The repairs and maintenance staff shares their time to provide services that are needed for the detention facility and all other tribal buildings.

31. Inmate Services Provided at the Facility
There are no inmate services provided to the inmates other than basic counseling for rehabilitation. There is insufficient space for any additional services or programs.

32. Healthcare Assistance in the Community
A community health nurse from the public health service checks inmates and administers medications.

33. Other Support Agencies in the Community
The community provides mental health services, counselors for alcohol rehabilitation, Alcoholics Anonymous and 'Brown Baggers'.

34. General Reasons for Detention
The general reason for apprehension and detention is the onset of drugs-related violent crime. There has been an influx of contraband drugs that has infiltrated because of the proximity to the interstate highways and the casinos. Supremacist groups, adult gangs and youth gangs operate in the community. Often these groups operate with the knowledge of circumventing law enforcement that result from the jurisdictional conflicts between law enforcement agencies. There is low income, high poverty and high unemployment in the community, all of which contribute to increased crime.

35. Potentially Harmful Conditions and Behavior of Inmates
Insufficient officers for supervision of suicide watch and a lack of cameras add to a constant threat of inmates harming themselves at the facility.

36. Accountability and Reporting of Incidents
Tribal incident reports are prepared for all incidents and all serious incidents are reported to the BIA.

DRAFT

Section 3

Facility Review
April 7, 2006

The facility was built in 1971–73 as an alcohol rehabilitation center but was never used as such because of a need to house criminals. A temporary 'portable addition' was added to house the juveniles and has since become permanent. The tribe has owned the building since 1993. A new justice center consisting of 63,649 sq. ft. is in the planning stages. This facility will include a space of 18,848 sq. ft. for the courts, 15,908 sq. ft. for the police and 28,893 sq. ft. for the detention of 100 inmates.

1. Exterior Site Conditions
   Exterior site conditions are poor. The facility is located within 100 yards of a children's playground. The general public has access all around the facility.

2. Exterior Exercise/Recreation Areas
   The exterior exercise and recreation areas are insecure and are thus not used. The standby generator has been located in the male recreation yard. The chain-link fence for the recreation yards provides an easy access to pass contraband material from the publicly accessed exteriors. The handrails at the steps to the area provide an easy access to the roof. Thus both recreation yards have been shut down.

3. Exterior Perimeter Security
   Exterior perimeter security is poor. The general public has access to the facility from all directions.

4. Sally Port Security
   The facility does not have a Sally port, rather a covered shelter the patrol car could pull into. The roof of this covered shelter leaks.

5. Building Interior Security
   Interior security of the building is very poor. There are three cameras, one of which is broken, one monitors the hallway and the third camera monitors the exterior at the entrance. All of these cameras are old and installed by the detention officers. No cameras provide any recording. The black-and-white monitors have very poor resolution.

6. Building Structure
   The facility is of block-wall construction with brick veneer for the exterior walls and wood framing, with drywall and wood paneling for the interior walls. The original building was built in 1971 with additions in 1993.

7. Building Roof
The building has a pitched wood-shingle roof with a mid-central flat-roofed HVAC equipment wells. The temporary modular for the juvenile section has a flat roof. The flat-roofed sections are tarred. The entire roof is in severe disrepair.

8. Interior Ceilings
All interior ceilings are in severe disrepair. All ceilings show signs of attempted repairs after roof leaks. None of the repairs has been completed. Several areas of the ceiling are exposed to the electrical systems above, which in and of themselves are in severe disrepair. Past damage from inmate escapes through the interior ceilings have not been repaired at this time.

9. Interior Walls
Most exterior and some interiors have CMU walls. The exterior walls have a brick veneer. The interior walls are painted tape and textured drywalls for wood-paneled.

10. Interior Flooring
Interior flooring is linoleum tiles and sealed concrete. The flooring below in the control room chairs has been worn down to the gravel and mortar used in the slab. All the flooring is in severe disrepair.

11. Interior Dormitory Cells
There is one adult male cell and one adult female dormitory cell.

12. Interior Isolation Cells
There are no interior cells that provide isolation cells.

13. Interior Detoxification Cells
There is one detoxification cell for male inmates and one detoxification cell for female inmates.

14. Booking and Intake Area
The booking and intake area is unsafe and poorly arranged. The space is small and congested and there are no cameras.

15. Visitation Area
The visitation area is poorly arranged and is in the hallway.

16. Kitchen, Food Preparation and Pantry Area
The kitchen, food preparation and pantry area is small, poorly arranged and scattered in and outside the facility. The refrigerators and freezers are located outside the facility.

17. Dining Area
There is no specific dining area for all of the inmates. Inmates eat in the common area immediately outside their cells.

18. Day Room Area
There are no day rooms at the facility. A television set is provided in the mail dormitory and a television set is provided in one of the common areas outside the female dormitory cells.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no area to provide first aid or an area to provide medical assistance to the inmates.

21. Toilets and Showers
All toilets and showers are in very poor condition. Most of the shower stalls are sheet-steel enclosures that have rusted and rotted away. The combination toilet-sink fixtures are either baked enamel or ceramic. Most of these have chipped away and are in severe disrepair.

22. HVAC System
The HVAC system – both the equipment and the ductwork – are in severe disrepair. The system is about 15 years old and breaks down often. Air distribution is insufficient and unevenly distributed. The HVAC system that feeds the juvenile section provides no ventilation and minimal cooling. The space is unbearable both for temperature and humidity.

23. Plumbing System
The plumbing system is in severe disrepair sanitary drains are generally plugged up. The sanitary sewer lines within the building and from the building are small in capacity for the amount of waste that they are expected to handle. These sanitation lines flow into a very old plumbing system outside the building which is connected to the city sewer system. The system from the building to the city sewer system is in disrepair.

24. Lighting System
The lighting levels are low in all spaces in this facility.

25. Electrical Power System
The function of this building has changed over the years and electrical loads have been added to this building over the years. Thus the electrical system is insufficient to serve the present electrical load. The entire electrical distribution system is in disrepair. The mobile backup generator has not been tested and is unreliable. Exposed electrical wiring in multiple areas was noted in the ceiling plenum. Several electrical overload conditions were noted throughout the building. There is insufficient power distribution for

the amount of electronic equipment that is in use. Several exposed electrical outlets within the inmate areas were noticed and an electrical outlet in the office area behind the water cooler sparks on occasion.

26. IT System
The IT system is adequate for the present time. Twenty dial-up lines are used for communications for the police, dispatch, detention and the courts.

27. Security System
For all practical purposes there is no security system in the building. There have been several escapes. Only two of the three cameras work. The camera system was installed by one of the detention officers. There is only one combination lock for entry to the basement hallway which leads to the building interiors. Access to the building is compromised as a result of this arrangement. The security of the officers and the inmates is compromised. Detention officers use manual locks for all of the cells. The cells cannot be evacuated a timely manner in case of an emergency. The evacuated inmates cannot be staged in a secure enclosure once they have been evacuated as a result of an emergency.

28. Energy Usage and Conservation
There is no attempt to provide energy conservation. Over the years the building has fallen into disrepair. The building itself, and all of the equipment that is used, does not attempt to conserve energy.

29. Fire Egress – Exterior and/or Secured Areas
A basic arrangement has been made to evacuate and transport the inmates for housing at other facilities once they have been evacuated in case of an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
Fire extinguishers are provided but there is no fire alarm or fire sprinkler system in the building.

31. Building Access for Staff and Inmates
The staff accesses the building through the main door up front while the inmates access through the covered entrance on the side of the building.

32. Hazardous Materials
There was asbestos and lead paint in the building. An inspection was conducted at one time but it is unknown if such hazardous material was abated.

33. Handicap Access for Staff and Inmates
The building does not provide access to staff or inmates who are handicapped.

34. Potentially Hazardous Elements
Hazardous elements that the inmates may use to harm themselves include: Exposed electrical wires at the outlets, electrical power cords used for television sets and coaxial cables used for TV antennas, ease of availability of the cleaning-supplies there are used for cleaning, horizontal and vertical bars at the cell, ventilation and security grilles within reach and corner of posts for the bunk beds.

DRAFT

Section 1

Background Information
of the
Nisqually Reservation
Served by the Nisqually Police Department

Nisqually Reservation[1]
Federal reservation
Nisqually
Thurston County, Washington

Nisqually Indian Tribe
4820 She-Nah-Num Drive SE
Olympia, WA 98513
360-456-5221
360-438-8618 Fax

Total area (BIA realty, 2004) 1,079.99 acres
Tribally owned (BIA realty, 2004) 346.04 acres
Individually owned (BIA realty, 2004) 733.95 acres

Population (2000 census) 588
Tribal enrollment (BIA labor report, 2001) 525

Total labor force (2000 census) 289
Total labor force (BIA labor report, 2001) 5,719
High school graduate or higher (2000 census) 81.8%
Bachelor's degree or higher (2000 census) 9.4%
Unemployment rate (2000 census) 11.4%
Unemployment rate (BIA labor report, 2001) 68%
Per capita income (2000 census) $14,094

LOCATION AND LAND STATUS
The Nisqually Reservation is located in western Washington State, approximately 10 miles east of Olympia. The original reservation was established on 1,280 acres by the Medicine Creek Treaty of December 26, 1854. An Executive Order in 1856 increased the size to 4,717 acres. In 1884, acreage was divided into 30 family allotments. The parcels were located on either side of the Nisqually River, but they did not include the

[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.

river itself. In 1917, the U.S. Army reduced the size of the reservation by over 3,300 acres in order to establish the Fort Lewis Military Reserve.

GOVERNMENT
The tribe is governed by a tribal council of seven members and a general council that consists of all tribal members over the age of 18 years. The tribal council includes a chairman, a vice-chairman, a secretary, a treasurer, a fifth council member, and two nonvoting members-at-large. Each member is elected to two-year terms. The tribal constitution was approved on September 9, 1946. Tribal government committees include health, social services, natural resources, accounting, and planning.

The tribal fish commission, a five-member body elected to two-year terms, oversees tribal fishery issues. The tribe maintains a tribal court system.

BUSINESS CORPORATION
Nisqually Ventures is a federally chartered entity.

INFRASTRUCTURE
The reservation is eight miles east of I-5, on Washington State Highway 210. The Port of Olympia is approximately 13 miles to the west, and the City of Tacoma is 35 miles north.

Water Supply – A tribal water system serves 110 homes.

Transportation – The Seattle-Tacoma International Airport is 50 miles distant. Motor freight service is available on the reservation. A rail connection is 7 miles distant.

COMMUNITY FACILITIES AND SERVICES
The reservation has a tribal administration building and a multipurpose equipment maintenance shop. There is a tribal community center.

Education – Tribal children attend public school in Yelm, five miles distant. A branch campus of the Northwest Indian College began operations on the reservation in 1994. The primary purpose of the campus is to serve as a training site for tribal employees.

Health Care – There is a clinic with one doctor and one dentist to serve if needed.

Section 2

Program Review
March 23, 2006

1. Funding of Operations
   The total funding for all operations for law enforcement is approximately $1.5 million. This includes an annual contribution of $350,000 through the PL 638 program. $574,000 of additional appropriated funding for the Law Enforcement Program of the Nisqually tribe has not been received as of this time. This funding was confirmed in a letter dated September 6, 2002 by Director Robert D. Ecoffey, of the OLES, U.S. Department of the Interior, in his letter to Chairman John Simmons of the Nisqually Tribe.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding of repairs and maintenance of the facility structure could not be ascertained.

3. Policies and Procedures
   Policies and procedures for the facility have been developed using the BIA standards as a base and incorporating additional standards from several other agencies. These policies and procedures also incorporate sensitivities to the religious and cultural needs. A sweat lodge is being planned.

4. Staffing
   There are ten full-time detention officers, one cook and one full-time maintenance staff.
   Occasionally these officers are supported by eight full-time additional officers who conduct land patrol.

5. Programs
   A GED program is conducted at the facility. In addition, an alcohol treatment and rehabilitation program is conducted. Inmates have been treated both as inpatients and outpatients. The inpatient program extends for up to 90 days. An Alcoholics Anonymous program is also conducted.

6. Staff Training
   The facility staff meets or exceeds the training requirements of 40 hours per year. Staff also undergoes training required by the State of Washington.

7. Space for Inmates On-Site
   The present space at the facility meets the present demand of inmates. Approximately 120 sq. ft. of space is allocated to each inmate.

8. Space for Inmates Off-Site
Inmates are not housed off-site.

9. Staffing Capacity for the Inmates On-Site
There is a shortage of staff. On occasion there is only one detention officer for periods of four to six hours.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide transportation and escort services for the inmates. On occasion an inmate has to be transported for four hours each way in addition to the stay at a healthcare facility to maintain a 'hospital watch' for the duration of the treatment of the inmate. It has been a challenge to maintain sufficient officers on duty, as well as allocate appropriate officers for transportation and escort services.

11. Office Supplies for Staff
There is insufficient funding to procure all office supplies that are needed for the staff.

12. IT Equipment for Office Use
There is insufficient funding to procure all IT equipment for use at the office.

13. IT Equipment for Communications Use
The facility needs 12 additional radios for the new frequency band. The facility also needs funding for $1900 per month for cross-match fingerprint communications and $35,000 per year for the NICIC access.

14. Personal Supplies for Inmates
Personal supplies for the inmates are adequate at this time.

15. Uniforms for Staff and Inmates
There is a need for three more sets of uniforms for each officer at this time. Uniforms for the inmates are adequate at this time.

16. Linen for Inmates
Blankets and mattresses wear out fairly rapidly but they are adequate for the use of the inmates at this time.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff and inmates are adequate at this time. When procured, almost all furniture is 'used furniture' from other agencies.

18. Transportation Vehicles
The detention facility does not have any transportation vehicles at this time. They depend on law enforcement for all of their transportation needs. Detention needs a transportation van and a cruiser to serve all of their needs.

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles at this time.

20. Utilities for Facility
Electricity and propane serve the needs of heating, cooling and cooking. There is enough funding to pay for such utilities at this time. However, utility rates have been escalating at a faster pace than the appropriations that were scheduled for the utilities.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is insufficient hot water for the needs of the kitchen, laundry and showers. The present 60-gallon hot water tank is too small to serve all of the needs at the facility.

22. Adequate Lighting for Inmate and Staff Areas
There is sufficient lighting for the inmate and staff areas. The battery-backed wall-pack lighting for emergency egress is insufficient for the facility. There is no backup generator to provide emergency lighting throughout the facility.

23. Ongoing Repairs and Maintenance
Several work orders have been placed for outstanding repairs and maintenance at the facility. This includes a need for repair at the showers which leak badly and spray water outside the shower stalls. There is a need for six heavy-duty showerheads.

24. Deferred Repairs and Maintenance
Outstanding deferred repairs and maintenance include: 1) Repairs of the dishwasher, 2) a backup sewage ejection sump pump, 3) condensate drains and heat exchanger repairs of the HVAC units, 4) rag picker screens at all cleanouts on the sanitation sewer lines, 5) eight security door units, each unit including the strikeout plate at the doorjamb, a doorjamb, a pop-lock, a control panel and the door itself and 6) two additional Conex storage boxes to consolidate scattered storage needs.

25. Medical Response at the Facility
Twice a week an M.D. visits the facility to attend to the healthcare needs of the inmates. Agencies are back-billed for medications and services at the emergency room of the hospital. The detention facility has an exam room, a secured storage for medical supplies and a medical-emergency cart to serve the needs of the inmates.

26. Booking Process at the Facility
The booking process is adequate at the facility.

27. Food Service at the Facility
The food service at the facility is adequate. There is a small kitchen and a day room is used to feed the inmates.

28. Kitchen and Dining staff at the Facility
A full-time cook serves five days a week. A trustee serves as the kitchen and dining staff over the weekend and during holidays when the cook is not available.

29. Housekeeping Staff at the Facility
Trustees and inmates serve as the housekeeping staff at the facility.

30. Repairs and Maintenance Staff at the Facility
A full-time individual serves five days a week for repairs and maintenance at the facility. This individual is backlogged with several minor projects at this time. The individual is unavailable if the plumbing system backs up at a time when he is off-duty.

31. Inmate Services Provided at the Facility
Inmates are provided with services such as: 1) GED educational services, 2) life-building skills, 3) Alcoholics Anonymous, 4) drug and alcohol rehabilitation and treatment and 5) religious services.

32. Healthcare Assistance in the Community
There is a tribal clinic that provides services such as x-rays, clinical laboratory work and dental work for the inmates.

33. Other Support Agencies in the Community
There are other support agencies in the community but they do not provide any assistance to the inmates at the facility.

34. General Reasons for Detention
The general reason for apprehension and detention is violent crime in the community.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates can harm themselves with articles of clothing.

36. Accountability and Reporting of Incidents
All incidents are reported internally and to the BIA.

Section 3

Facility Review
March 23, 2006

The detention facility consists of an older detention facility, built in 2000 that was relocated to this site. A new addition for detention and a kitchen were added in 2003. The older section now provides office space for the Law Enforcement. The dispatch and detention control room are shared in the same space and is centrally located within the new section of the detention facility.

1. Exterior Site Conditions
   The exterior site conditions are poor. The site is located in the vicinity of a casino. There are other facilities with extensive unsorted storage strewn around. The general public has access to the facility all around.

2. Exterior Exercise/Recreation Area
   The exterior exercise/recreation area is created by a continuous chain link fence that surrounds the building on three sides. The chain-link fence is topped with barbed wire and razor wire. Razor wire is also installed on the rain gutter edge of the metal roof around the new section of the building. The exterior recreation area is accessible to the general public who are free to toss contraband material over the fence. The exercise/recreation area cannot be used as a secured area to evacuate inmates in an emergency.

3. Exterior Perimeter Security
   The exterior perimeter is not secure. There are several Conex boxes located nearby and a facility with scattered storage strewn around, that may serve as convenient places for an inmate to stage an escape. Cameras do monitor the perimeter but they are incapable of pan-tilt-zoom features. There are several blind spots that the cameras do not cover.

4. Sally Port Security
   The Sally port consists of a sheltered space behind an automatic rolling chain-link fenced gate. The gate does not close completely and provides an opportunity for an escape.

5. Building Interior Security
   Building interiors are secure and well monitored with multiple cameras.

6. Building Structure
   The building structure is wood framed. It has suffered moisture damage because of severe rainfall and constant high humidity in the area. The

building is susceptible to mold and carpenter ants in the four-foot crawl space below the floor area.

7. Building Roof
The building has a pitched plywood roof with a metal covering. There are no leaks.

8. Interior Ceilings
Interior ceilings are gypboard in the office areas and hardieboard in the detention and inmate housing area.

9. Interior Walls
All interior walls are wood-stud-framed walls with painted hardieboard sheeting.

10. Interior Flooring
Interior flooring is wood framed with sheet vinyl and carpeting in the offices.

11. Interior Dormitory Cells
There is a men's and women's dormitory as well as individual segregation cells at the facility. The dormitories provide daylight through two small windows.

12. Interior Isolation Cells
There are four segregation cells at the facility. The cells provide daylight through a small window in each cell.

13. Interior Detoxification Cells
There is a detoxification cell, one each for male and female inmates. Each of the detoxification cells has a small window that provides daylight.

14. Booking and Intake Area
The booking and intake area is adequate for the needs of the facility. However, there are no screened barriers between the inmate and the officers during the booking process.

15. Visitation Area
There is no appropriate visitation area at the facility.

16. Kitchen, Food Preparation and Pantry Area
There is a small kitchen and food preparation area. The electrical closet also serves as the pantry area. There is a need for a walk-in refrigerator and a walk-in freezer. There is a severe shortage of storage space at the facility. Food is also stored in one of the storage Conex boxes outside.

17. Dining Area
A large day room also serves as a dining area for the inmates. The space is adequate for the needs of the facility.

18. Day Room Area
A large day room is provided. Two large windows are provided in the day room. The windows do not have any specific security measures such as security bars or a security screen.

19. Vocational Training Area
There is no specific vocational area at the facility.

20. First Aid and Medical Assistance Area
There is a small medical exam room that provides first aid and medical assistance to the inmates.

21. Toilets and Showers
The toilets and combination sink units are adequate. The shower stalls are unconventional and are not up to institutional standards. There is severe water leakage all around that has caused extensive water damage to the flooring around each shower stall and the wood sub-floor.

22. HVAC System
HVAC units do not operate properly. Spaces are either too hot or too cold.

23. Plumbing System
The plumbing system is often plugged up. There is a need for rag screens at each of the cleanouts of the sanitation sewer lines.

24. Lighting System
Interior lighting is adequate for the staff and inmate areas. Emergency egress lighting is provided at the corridors. There is insufficient lighting around the perimeter and exercise/recreation yards.

25. Electrical Power System
Electricity is served through a 200 amp overhead service. Electrical service is intermittent. There is no backup emergency generator at the facility.

26. IT System
There are two computers in the detention control room and five computers are used by law enforcement in the older section of the facility. Two additional computer workstations are needed, one dedicated for the NICIC and one for the fingerprint cross-check communications.

27. Security System
Cameras for the interior are adequate. A recording camera is needed at the booking and intake area and two exterior cameras are needed that have the capability of pan-tilt-zoom.

28. Energy Usage and Conservation
The building is well-built with appropriate considerations for energy conservation.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is appropriate within the building through six exits, but there is no secured staging area for the evacuated inmates once they are outside the building. Fire drills are conducted on a regular basis.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a conventional fire alarm and a sprinkler system at the facility. Fire extinguishers are available appropriately.

31. Building Access for Staff and Inmates
There are six exits at the facility. The staff uses the front main entrance. The inmates are escorted through the Sally port.

32. Hazardous Materials
There are no hazardous materials such as asbestos or lead paint at the facility. There is a potential for infestation with mold as a result of excessive moisture at the shower stalls, below the flooring and in the sub-floor.

33. Handicap Access for Staff and Inmates
The facility has provisions for staff and inmates who are handicapped.

34. Potentially Hazardous Elements
Inmates may use articles of clothing and corner posts of bunk beds to harm themselves.

Section 1

Background Information
of the
Puyallup Reservation
Served by the Puyallup Detention Center

Puyallup Reservation[1]
Federal reservation
Puyallup
Pierce County, Washington

Puyallup Tribe of the Puyallup Reservation
1850 Alexander Ave.
Tacoma, WA 98404
360-597-6200
360-848-7341 Fax

Total area (BIA realty, 2004) 490.46 acres
Tribally owned (BIA realty, 2004) 349.07 acres
Individually owned (BIA realty, 2004) 141.39 acres

Population (2000 census) 41,335=
Tribal enrollment (BIA labor report, 2001) 2,490

Total labor force (2000 census) 21,145
Total labor force (BIA labor report, 2001) 8,969
High school graduate or higher (2000 census) 85.1%
Bachelor's degree or higher (2000 census) 23.1%
Unemployment rate (2000 census) 5.7%
Unemployment rate (BIA labor report, 2001) 75%
Per capita income (2000 census) $22,750

LOCATION AND LAND STATUS
The Puyallup Reservation is located south of Seattle near Tacoma, Washington. Puyallup is an urban reservation located within the city limits of Tacoma and on Commencement Bay, an international shipping area. It was established on 1,280 acres by the Medicine Creek Treaty of 1854, with an additional 18,062 acres added in January 1856. In 1890, the growth of the City of Tacoma instigated the sale of tracts of land within the reservation to Euro-American settlers. Over 9,000 acres of tribal lands were

[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.

sold to the public. In 1935, the remaining land fell out of trust status. It regained that status, however, after the tribe brought suit against the federal government. A land settlement in 1988 restored four properties in the Tacoma tidal flats to the tribe. These properties are the Blair Backup Property, Blair Waterway Property, Upper Hylebos, and Inner Hylebos properties.

PHYSICAL DESCRIPTION
The reservation is located along the southern end of Puget Sound. Portions of the Puyallup River are located within tribal lands, as are wetlands, riparians, foothills, and cedar forests. It is; however, primarily an urban environment within Tacoma, Washington.

CLIMATE
The reservation experiences mid-latitude, west coast marine climate. Summers are dry and mild while winters tend to be rainy. The year-round average daily high temperature is 61.4°F. The year-round average daily low temperature is 44.6°F. The area receives approximately 39 inches of precipitation annually.

GOVERNMENT
The tribe organized under the provisions of the Indian Reorganization Act of 1934, and the Secretary of the Interior approved its constitution on May 13, 1936. The tribe is governed by a council consisting of seven elected members.

Tribal government programs include health, law enforcement, and tribal court. A nine-member committee appointed by the tribe's board of directors manages trust funds for the tribe's housing, elderly needs, burial and cemetery maintenance, education and cultural preservation, and social services programs.

The Puyallup Tribal Law Enforcement department includes the land enforcement division and the fish and wildlife division. The land enforcement division enforces tribal laws and operates a detention facility. Tribal police officers receive training at the Police Academy in Artesia, New Mexico, as well as at the Washington State Training Commissions Law Enforcement Equivalency Academy. The fish and wildlife division enforces tribal fishing regulations for the lower Puget Sound, the Puyallup River, and several other bodies of water. They also enforce shellfish regulations and the gaming code. The tribal court exercises jurisdiction over matters pertaining to the tribal code, both civil and criminal.

BUSINESS CORPORATION
Founded in 1989, Puyallup International serves as the economic development arm of the tribe. The corporation has established agreements and relationships with governing bodies and businesses to promote economic growth and beneficial business for all members of the area. In 1999, Puyallup International was the largest employer in the county and provided employment for almost 2,000 individuals. Puyallup International was a 1999 nominee for the Bradford Award.

Puyallup International manages the Emerald Queen Cascades Casino and Resort, the Emerald Queen Casino, the Chinook Landing Marina, and the Northwest Container

Supply company, as wells as the tribe's seafood venture. Puyallup International assisted in securing legislation to authorize the International Services Development Zone in the Port of Tacoma. It also entered into a joint venture with Global Intermodal Systems to develop a port facility that provides long-term employment in a trucking, container storage, and servicing enterprise.

INFRASTRUCTURE
U.S. I-5 and I-705 serve the Tacoma area. The reservation is near the junction of I-705 (Exit 135) and State Highway 167.

Electricity – The Pierce County Public Utility District provides electricity.

Water Supply – The U.S. Public Health Service installed water and septic tanks before 1974.

Transportation – Residents of the reservation have access to all services available in the greater Tacoma area.

COMMUNITY FACILITIES AND SERVICES
The tribe's elderly needs program provides housekeeping, yard maintenance, shopping, and daily needs services for tribal elders. The tribe has established a language preservation program and operates a job training program as well. The tribe also operates a number of social programs that provide support services to parents, anti-gang prevention, and cultural awareness activities.

Education – The tribe operates the Chief Leschi School. Opened in 1975, the school serves students in preschool-12. The student body is comprised of over 1,200 youth from over 90 American tribes. The tribe owns the Medicine Creek Tribal College. The college provides a two-year, postsecondary academic program.

Health Care – The tribe operates the Takopid Health Center. It provides dental, medical, community health, pharmacy, optometry, and physical therapy programs. An alcohol and substance abuse center provides services for 30 patients, and the Kwawachee Center provides services for mental health patients. It also houses a "spirit house," which hosts cultural activities. Each facility employs both western medical practices and traditional tribal healing methods. The tribe's health program received the 1999 Honoring Contribution in the Governance of American Indian Nations Award.

Section 2

Program Review
March 23, 2006

1. Funding of Operations
   The total budget for law enforcement is $3,972,496. Of this amount approximately $382,978 is contributed by the BIA through the PL 638 contract. Details of the funding could not be ascertained.

2. Funding of Repairs and Maintenance of Facility Structure
   Details of the funding for the repairs and maintenance of the facility structure could not be ascertained.

3. Policies and Procedures
   Details of the policies and procedures for the detention facility could not be ascertained. Law Enforcement in general uses policies and procedures that are based on the BIA standards.

4. Staffing
   There are nine full-time time detention/dispatch officers at this time. They are seeking two additional full-time officers with a total need for five additional officers. There is a total staff of 38 full-time officers which includes all law enforcement officers as well as detention/dispatch officers. These officers serve 3500 registered members as well as additional tribal nonmembers for about a total population of 10,000 individuals, including members of other tribes who live within the boundary of their jurisdiction. About 83,000 residents live in the area served by the facility.

5. Programs
   No educational or vocational programs are conducted at this facility.

6. Staff Training
   All officers are cross-commissioned officers with the County, the City of Tacoma and with the City of Fyfe through a 'memorandum of understanding'. They meet the federal and tribal standards required by the Police Academy and the Correctional Academy in Artesia New Mexico.

7. Space for Inmates On-Site
   There is a space for ten inmates on-site. Four females are housed in a dormitory-style unit and six males are housed in the dormitory-style unit. The facility also has a 'cage' that serves as the detoxification cell.

8. Space for Inmates Off-Site
Adult inmates are sent off-site to the Nisqually Detention Center. Juveniles are also sent off-site. There are six juveniles housed off-site at this time. The facility contracts with the City of Tacoma, Pierce County Juvenile Detention Center and Remman Hall for Juveniles. The facility spends approximately $70,000 per year with a mandatory payment of two beds per day at $100 per bed per day for reserved contracted bed space.

9. Staffing Capacity for the Inmates On-Site
Generally there are two correctional officers/dispatch officers per shift with three officers on the weekends. These officers also share the duties of corrections and dispatch officer at any given time.

10. Staffing Capacity for Transportation and Escort for Inmates
The corrections/dispatch officers provide transportation. There is often insufficient staff to provide appropriate services for the inmates in detention as well as provide the services for the dispatch.

11. Office Supplies for Staff
Generally office supplies are sufficient. There is a need for one additional copier.

12. IT Equipment for Office Use
There is a need for more telephone equipment and a new server.

13. IT Equipment for Communications Use
There is a need for more radios for communications.

14. Personal Supplies for Inmates
Personal supplies for inmates are adequate at this time.

15. Uniforms for Staff and Inmates
Uniforms for staff and inmates are adequate at this time.

16. Linen for Inmates
Blankets and mattresses for the inmates are adequate at this time.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for staff and inmates are adequate at this time. Plumbing fixtures such as the toilets and shower stalls for the inmates are non-institutional type.

18. Transportation Vehicles
The officers use a 1995 Caprice and borrow additional vehicles from Law Enforcement for the transportation of inmates.

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles.

20. Utilities for Facility
There is not enough funding to pay for the utilities for the facility. There is a chronic budget deficit for the funding of utilities.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water for the laundry and showers. There is no kitchen.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmates and staff areas.

23. Ongoing Repairs and Maintenance
There is insufficient funding for ongoing repairs and maintenance at the facility.

24. Deferred Repairs and Maintenance
There is insufficient funding for deferred repairs and maintenance at the facility. Being an inappropriate detention facility, inmates escape often. There is insufficient funding for proper repairs for damages to the facility from the past escapes.

25. Medical Response at the Facility
There is minimal medical response at the facility. There is no testing of the inmates for TB, HIV or hepatitis.

26. Booking Process at the Facility
The booking process is inadequate. The booking officer conducts the booking in the Control Center /Dispatch area. All data is recorded on an old computer. Fingerprinting is done manually and cannot be cross-checked with other law enforcement agencies. There is no funding to procure booking software.

27. Food Service at the Facility
There is no kitchen at the facility. Meals are contracted with the Elders Program for lunch and dinner for weekdays – Monday through Friday. Frozen precooked meals are micro-waved for all breakfasts and all meals over the weekend.

28. Kitchen and Dining Staff at the Facility
The detention/dispatch officer serves as the kitchen and dining staff at the facility.

29. Housekeeping Staff at the Facility
The detention/dispatch officer serves as the housekeeping staff at the facility.

30. Repairs and Maintenance Staff at the Facility
Two individuals provide minimal repairs and maintenance at the facility. These individuals share their time with other repairs and maintenance expected by the Department of Public Safety.

31. Inmate Services Provided at the Facility
There are no inmate services provided at the facility.

32. Healthcare Assistance in the Community
An Indian Health Services hospital serves the community. The hospital is about 10 minutes away from the detention facility.

33. Other Support Agencies in the community
There are a few support agencies in the community.

34. General Reasons for detention
The general reason for apprehension and detention is violent crime in the community. There has been a considerable increase in the use of heroin, cocaine and methamphetamine. Gang activity is on the rise beginning in 1988 – 1989. Criminals generally take advantage of the urban environment and the knowledge of disputed jurisdictions of tribal and non-tribal law enforcement as it relates to the scene of crime and the ethnic background of the criminal. The land mass of the Puyallup Nation lands is scattered over a large area and is not contiguous. Interstate 5 and other major highways crisscross the reservation. The Seattle-Tacoma deep water port is nearby. The land mass of the tribal land is located in a dense urban setting and does not stand out from any other non-tribal commercial and residential setting.

35. Potentially Harmful Conditions and Behavior of Inmates
The facility is a double-wide trailer that has been modified to serve as a detention facility. As such there are potentially harmful conditions that may be used by the inmates to harm themselves. The physical setting is that of a residence. Posts on the bunk-beds and ventilation grilles also provide a way for the inmates to harm themselves.

36. Accountability and Reporting of Incidents
Major incidents are reported the BIA, while all others are reported internally.

Section 3

Facility Review
March 23, 2006

The detention facility is a double-wide modular building. The prior permanent building that housed the detention facility was condemned after the Nisqually earthquake in February 2001. That building housed 30 beds and on average was filled to capacity every night. The building was torn down after being condemned and inmates were moved to this temporary facility and three other off-site facilities. This modular trailer was expected to be a temporary site for detention facility.

1. Exterior Site Conditions
   The exterior site conditions are poor. The site is accessible to the general public. The facility is located on a city street about four blocks away from the busy Interstate 5.

2. Exterior Exercise/Recreation Area
   There is a small exercise/recreation area, which is enclosed by a chain-link fence topped with barbed wire and razor wire. This enclosure cannot be used as a secured enclosure to evacuate inmates in case of an emergency.

3. Exterior Perimeter Security
   There is no perimeter security. The general public has access to the facility from two of the four exterior perimeter walls. One camera each monitors the two doors which are generally used as a general-purpose entrance/Sally port and the other camera as the entrance to the exercise/recreation area. There are large openings sufficient for an inmate to squeeze through, between the fencepost and the fencepost-gate of the exercise/recreation area. The third exterior door is posted as an exit door and is blocked by mattresses on the inside but leads on to a void with a 3-foot drop to grade. This door is not monitored. There have been several successful escapes at this facility.

4. Sally Port Security
   There is no Sally port. Inmates are escorted through the same main entrance as the remaining staff. A gated chain-link fence provides a barrier between the building and the parking lot. An intercom serves as a means of communication between the control center and someone at the gate. The camera monitors this front entrance.

5. Building Interior Security
   There is minimal security indoors. Only one camera at the corridor monitors activities occurring only in the corridor.

6. Building Structure
The building is a double-wide mobile home trailer with wood framing and Masonite and T-111 siding.

7. Building Roof
The building has a pitched roof covered with composite shingles. There have been a few leaks thus far.

8. Interior Ceilings
Interior ceilings are that of a typical modular building. They consist of lay-in thin vinyl sheathing.

9. Interior Walls
All interior walls are 3-inch wood framed with a plywood veneer paneling.

10. Interior Flooring
All interior floors are vinyl tile on a thin Masonite sub-floor. Inmates have successfully cut through the flooring for an easy escape through the crawl space below the modular.

11. Interior Dormitory Cells
There are two interior dormitory cells, one for the male and one for female inmates. There are six male and four female inmates who are housed on bunk beds in these dormitories.

12. Interior Isolation Cells
There are no isolation cells at the facility.

13. Interior Detoxification Cells
A locked metal cage with a mattress, off the central corridor, serves as the detoxification cell.

14. Booking and Intake Area
There is no specific booking and intake area. Booking is conducted in the control/dispatch area on one of the side desks. There are no barriers between the officer and the inmate. There are no recording cameras.

15. Visitation Area
There is no specific visitation area. One card table and two chairs are wedged in the entrance corridor near the main entrance door to serve as a visitation space for visitors for the inmates.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen. A small section is set aside for three large refrigerators, cabinets for toiletries and office supplies. Frozen food is warmed in microwave ovens on one end of the of the control and dispatch area. This space also serves as the copy room and lunchroom for the officers.

17. Dining Area
Inmates eat on a table with four benches set up in each of the dormitories.

18. Day Room Area
There is no day room at the facility.

19. Vocational Training Area
There is no space to serve as a vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific space to serve as a first aid and medical assistance area at this facility. A first-aid kit is stored beneath the dispatcher's desk.

21. Toilets and Showers
There are non-institutional, residential-style toilets and showers at the facility. They are in good repair.

22. HVAC System
Two Bard unit heat pumps at either end of the modular provide adequate heating and cooling directly into the interior space.

23. Plumbing System
The plumbing system is that of a modular unit. It is in good repair and adequate for the space.

24. Lighting System
There is adequate lighting for the staff and inmates. The lighting fixtures in the dormitories are continuously vandalized.

25. Electrical Power System
Electricity is served through an overhead electrical service sufficient for the modular unit. There is a severe shortage of electrical outlets for office use.

26. IT System
An old computer system serves as the IT system for the facility. It is adequate for the present use.

27. Security System
There is minimal security at the facility. Two cameras monitor the exterior areas and one camera monitors the interior corridor. There have been a number of successful escapes at this facility.

28. Energy Usage and Conservation
There is no awareness for energy conservation at this facility. The modular unit is well insulated but the doors are often kept open losing the warmth or cooling from the interior space.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is inadequate. Inmates cannot be evacuated into a secured area, sufficiently away from the building, in case of an emergency. One of the exit doors is locked and blocked with a mattress which opens into a void three feet below to the grade.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are fire extinguishers sufficiently spaced in the building. There is no fire alarm or a fire sprinkler system.

31. Building Access for Staff and Inmates
Inmates and staff use the same front entrance for ingress and egress.

32. Hazardous Materials
There is no asbestos or lead paint in the building.

33. Handicap Access for Staff and Inmates
There are no provisions for the use of the facility by handicapped staff or handicapped inmates.

34. Potentially Hazardous Elements
Inmates can harm themselves using their clothing and corner of the bedposts or ventilation grilles.

DRAFT

Section 1

Background Information
of the
Quinault Reservation
Served by the Quinault Detention Center

QUINAULT RESERVATION[1]
Federal reservation
Quinault, Queets, Quileute, Hoh, Chehalis, Chinook, and Cowlitz
Grays Harbor and Jefferson counties, Washington

QUINAULT TRIBE OF THE QUINAULT RESERVATION
1214 Aalis Dr.
P.O. Box 189
Taholah, WA 98587
360-276-8215 or 1-888-616-8211
360-276-4191 Fax
Website: quinaultindiannation.com

DEMOGRAPHICS
Total area (BIA realty, 2004) 184,404.49 acres
Tribally owned (BIA realty, 2004) 67,654.12 acres
Individually owned (BIA realty, 2004) 116,750.37 acres

Population (2000 census) 1,370
Tribal enrollment (BIA labor report, 2001) 2,454

Total labor force (2000 census) 564
Total labor force (BIA labor report, 2001) 1,736
High school graduate or higher (2000 census) 72.2%
Bachelor's degree or higher (2000 census) 11.5%
Unemployment rate (2000 census) 14.7%
Unemployment rate (BIA labor report, 2001) 50%
Per capita income (2000 census) $9,621

LOCATION AND LAND STATUS
The Quinault Reservation sits in the southwestern corner of the Olympic Peninsula in extreme western Washington State. Twenty-three miles of rugged, spectacular Pacific

[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.

coastline comprise the reservation's western border. Private land holdings border the south and southeastern boundaries.

The reservation was created as a result of the Quinault River Treaty of 1855, wherein the tribes ceded about three million acres of land to the U.S. government in return for reservation trust status. It was not until 1873, however, that an executive order officially established boundaries for the reservation. The 1887 Allotment Act resulted in alienating a large percentage of reservation lands from Indian ownership. In the past decade, the Quinault Nation has actively purchased additional lands, expanding the reservation's boundaries to include 208,150 acres in 1994.

PHYSICAL DESCRIPTION

Surrounded as it is by the Olympic National Forest, much of the Quinault Reservation lands can be categorized as temperate rain forest. Topography is rolling, and portions of the acreage remains heavily timbered in areas, despite decades of intensive logging, with some of the largest Douglas fir, Sitka spruce, broadleaf maple, western red cedar, and western hemlock in existence.

A prominent water body, 3,729-acre Lake Quinault, in Olympic National Park, is fed by runoff and glaciers high in the Olympic Mountains. The lake serves as the headwaters for the Quinault River, which flows for 35 miles across reservation lands, draining approximately 264 square miles of watershed. The reservation enjoys 23 miles of pristine, transitional Pacific coastline. South of the reservation lands, the shores are characterized by sandy beaches, while to the north, they are dominated by craggy rocks and towering cliffs.

CLIMATE

The elevation at Taholah, Washington, is 14 to 80 feet above sea level, and the highest elevation on the reservation is about 300 feet above sea level. Weather patterns are typical of temperate rain forest environments: marked by seasonal variations, but with overall mild temperatures, summer fog, and drenching rains. The year-round average daily high temperature is 55.5°F. The year-round average daily low temperature is 42.6°F. The area receives approximately 88 inches of precipitation annually, less than 4 inches of which fall is snow.

GOVERNMENT

The tribe is governed by a duly elected tribal (general) council, which meets annually on the last Saturday of March and is made up of all voting members of the Nation. Bylaws were first adopted on August 24, 1922, and the tribal constitution was approved March 22, 1975. In the modern constitution, the cultural heritage of the other member tribes is honored. Anyone with one-quarter blood of the Quinault, Hoh, Queets, Quileute, Chehalis, Chinook, or Cowlitz tribes is permitted to claim membership in the Quinault Nation as long as they are not members of another tribe.

The 11-member Quinault business committee, consisting of four officers and seven councilmen, is entrusted with the tribe's business and legislative affairs. Members of the business committee serve staggered three-year terms.

After 150 years of misguided interference by the federal government into Indian affairs, the BIA opted to try a new means of tribal governance. In 1988 the Self Governance Act was passed and the BIA began a demonstration project to allow tribes to make their own decisions. In 1990 the Quinault, and six other tribes, brought self-rule back to their communities. In 1991 this law also began allowing these tribes to plan activities in the Indian Health Service.

Under PL 93-638, the tribe contracts with the BIA to administer key programs and services. Tribal government operations consist of the following areas: administration, natural resources, community services, education, self-governance, health and social services, economic development, Quinault Nation Enterprise Board, Quinault Beach Resort, gaming policy, and a housing authority. They also have their own police department and tribal court system. Administrative offices include the executive director and executive assistant, administrator, chief financial officer, legal, enrollment, planning, finance manager, personnel, grants development, legislative liaison, and council. The natural resources department oversees the cultural resources, environmental programs, fisheries, forestry, and resource protection offices. There is also a centralized communications department to coordinate resource protection officers; fire, police, public works, and other emergency-response personnel; youth services; and an elders program to provide senior services.

The mission of the Quinault housing authority is to develop partnerships between reservation communities and businesses, governmental entities, and residents, so safe, affordable housing is available for all eligible tribal members. The housing authority is a member of the Northwest Indian Housing Association. In 1998, the housing authority provided credit and mortgage counseling services, provided rental vouchers to college students, managed existing low-income housing units on the reservation, and offered a revolving loan program to assist homeowners rehabilitating older homes.

In 2003, the Quinault Nation updated the tribe's strategic plan, which guides future development separate core strategies were devised for each of the following elements of tribal life: sovereignty, treaty rights and governance, community services, capital facilities, administration, housing, social and health services, culture, education, employment, economic development, and environment.

INFRASTRUCTURE
The reservation is served by U.S. Highway 101, skirting the northern border, and State Highway 109, which runs north into the reservation as far as Taholah. Grays Harbor Transit Authority provides the region with bus service. Commercial truck lines serving the area include UPS and Peninsula Trucking. Aberdeen and Hoquiam, 40 miles from the reservation, have commercial airports. The Port of Grays Harbor, 40 miles south of Taholah, provides access to water transportation and shipping facilities.

ELECTRICITY: The Public Utility District of Grays Harbor provides electric power service. The tribe has formed its own utility company, which, once fully operational, will provide wind and other source-generated electricity to reservation homes and facilities.

WATER SUPPLY: The communities of Taholah and Queets and the Quinault Indian Nation Public Works Department provide water and sewage services. The privately owned Santiago Water System provides supplemental water service.

TELECOMMUNICATIONS: Quinault Cablevision offers cable television to reservation homes and facilities.

COMMUNITY FACILITIES AND SERVICES
The Quinault Nation maintains two community centers, one at Taholah and another at Queets. There are buildings for the Nation's two Head Start programs, which include daycare facilities. The Nation has a police station, a natural resources office, a tribal office building in Taholah from which most community and social services are operated, and a mental health office where the alcohol and substance abuse and behavioral health programs are operated. The Safe House, a shelter and transitional housing facility for victims of domestic abuse, has been completed since 2003. A modular building houses the courthouse and legal office. The newly renovated Old Quinault Post Office is home to the Lake Quinault Museum and Historical Society. A new Taholah Branch of the Bank of the Pacific opened December 15, 2004, at the Quinault Indian Nation Tribal Offices.

According to the 2003 Quinault Strategic Plan Update, the Nation plans to build a NW Indian Youth Camp. They also wanted to build a fish house in Queets and an assisted living and convalescent care home for elders and disabled members.

In 2004, the Nation was planning the following capital improvement projects: a new Taholah health clinic and social services offices, to be opened in 2005; a sewage treatment system for Taholah; and a new water system for Queets. Three older buildings on-site at the Roger Saux Health Clinic may be converted to other uses. There is a need for a drug and alcohol halfway house, and the Nation would like to build a cultural center.

EDUCATION: The Nation operates the Quinault Lake School District, maintaining its own public grade school, high school, and school board. Elements of traditional culture are infused throughout the curricula, with instruction in the Salishan language.

A special water quality project at the schools integrates water quality activities throughout core instructional areas. Students, depending upon grade level, engage in field activities geared toward preserving fishery habitats, such as testing water quality in regional rivers; raising coho, Chinook, and steelhead fingerlings in the classroom; conducting scientific laboratory experiments at the hatchery; attending special lectures and conferences; and dissecting fish. High school students participated in a tribal work study program during 2000 and 2001, engaging in many of these same activities as part of the STEP curriculum.

In 2002 and 2003, ALADIN college prep and STEP high school students were offered an Aviation Ground Course. The science teacher, a former pilot, linked core instruction to coursework in engines and thrust, a plane's anatomy, instrumentation, aerodynamics, navigation, weather, FAA regulations, and physiology, while integrating chemistry,

physics, biology, math, and citizenship. Students in the curriculum participated in a field trip to McCord Air Force Base, where speakers emphasized the value of higher education while conducting a tour of the high-tech aviation facility.

The school district operates a college program in cooperation with nearby institutions of higher education, including Northwest Indian College, Grays Harbor Community College, and the Evergreen State College Bridge Program.

HEALTH CARE: Health care services are provided by the Roger Saux Health Center, a facility operated by Quinault Nation Health Services under a PL 93-638, title III self-governance compact with Indian Health Service. The 5,379-square-foot facility provides comprehensive ambulatory, medical, and dental care, maternal and child health, and emergency medical services, a pharmacy, and a lab. The center employs two physicians, a family nurse practitioner, a dentist, a dental hygienist, four registered nurses, a licensed practical nurse, a pharmacist, a pharmacy aide, a medical technologist, a referral clerk, and several additional practitioners. It is JCAHO accredited. The Nation operates a remote health station in Queets also, along with an outpatient alcohol and substance abuse program facilitated by the tribal social services department. The nearest full-service hospital is located in Aberdeen.

Other tribally operated health programs include: health benefits, contracted health services, WIC, community health representatives, programs for seniors, public health nurses, mental health counseling, and nutrition information and counseling.

DRAFT

Section 2

Program Review
March 24, 2006

1. Funding of Operations
Of the annual BIA funding of approximately $ 8 million to the Quinault Nation, BIA provides approximately $ 644,478.00 towards a common fund annually, for law enforcement. This common fund is used for all law enforcement programs including: a) Patrol, b) Dispatch, c) Communications and d) the Detention Facility for all the operations of all law enforcement programs. This funding was allocated for the 21 corrections officers for Patrol, Dispatch and Communications, but not for Detention. A request was made to augment funding for detention officers but no additional funds have been approved at this time. The tribe does not provide any augmentation.

2. Funding of Repairs and Maintenance of Facility Structure
A separate fund provides for the maintenance and operations of the facility. A facilities inspector from BIA Portland provides the coordination and assistance for major repairs and maintenance. All works over $2000.00 are bid through the BIA Portland office. Works for less than $2000.00 are funded through the local facility. BIA plans to spend over $500,000.00 at this facility in the upcoming year for maintenance and operations.

3. Policies and Procedures
The policies and procedures are being worked on. The facility is incorporating new procedures. They follow the BIA manual. Inmates are provided with appropriate requests and with proper court order, participation in religious and cultural ceremonies. The facility has provided inmates with participation in funerals – which is of significant religious importance within the tribe. The facility has also provided inmates, through a Work Release Program, participation in fishing and clamming, which is of significant cultural importance to several tribes. There is no sweat lodge on the premises and none has been requested. The facility serves several tribes and cultures.
A formal policies and procedures manual need to establish appropriate standards that are acceptable and enforced.

4. Staffing
For all law enforcement, there are 3 full-time personnel for administrative functions and 14 full-time personnel in other law enforcement functions. The Chief of Police has advised that they are understaffed for the size of current operations.

5. Programs
For lack of staffing, there are no specific programs under way. They are working on getting a social worker for the detention facility.

6. Staff Training
The facility keeps up with the minimum requirement of 40 hours of annual training. They cannot afford the staffing that is needed if someone is out for training at the BIA facility in New Mexico. There is only one detention officer for every 12-hour shift.

7. Space for Inmates On-Site
There is not enough space on-site if they 'bust' a big party (e.g., 22 people). In such a case, they generally 'book them' and 'release them'. The individuals are released and out of the facility while the officer is still finishing writing the reports.

8. Space for Inmates Off-Site
This is not an issue so far. The only inmates who are sent off-site are juveniles who are sent to the Grace Harbor county facility. This department paid $100 per day per juvenile for a total cost of approximately $ 73,000.00 last year. This is a financial hardship to this facility.

9. Staffing Capacity for the Inmates On-Site
This is keeping up with the routine inmate load, unless there is a specific situation as that noted in item 7 above.

10. Staffing Capacity for Transportation and Escort for Inmates
This is difficult at best. They have only one detention officer on duty at any given time, who also serves as the dispatch officer. They have to 'pull' an off-duty officer or rely on patrol officers for transportation to a rehabilitation facility and/or escort to a healthcare facility. Often inmates take advantage of this circumstance and request healthcare assistance at off-hours and/or on weekends.

11. Office Supplies for Staff
There are sufficient office supplies for routine use for the staff.

12. IT Equipment for Office Use
There is sufficient IT equipment for routine use at the office.

13. IT Equipment for Communications Use
There is no 'radio service' in various pockets of the area served by law enforcement. The service area is approximately 226,000 acres or 55 square miles. Only 30% of this area has reliable coverage for communications. The other 70% of the area has sporadic coverage.
For additional coverage, there is a current need for two more 'Repeaters and Antenna Towers' using broadband frequencies. There is an additional need two years later, for two additional 'Repeaters and Antenna Towers' when the mandate for 'narrow band of frequencies' mandate takes effect. Each of these structures rises about 80 feet to 120 feet. Each structure has a capital cost of

approximately $ 40,000.00 and an annual operations and maintenance cost of approximately $ 3500.00 to $ 5000.00.

14. Personal Supplies for Inmates
Personal supplies for the inmates are sufficient.

15. Uniforms for Staff and Inmates
These are sufficient for both the staff and the inmates.

16. Linen for Inmates
There are sufficient blankets but they wear out fast. Currently there is a need to replace mattresses at approximately $ 200.00 each, and pillows at approximately $ 20.00 each.

17. Furniture and Fixtures for Staff and Inmates
There are sufficient furniture and fixtures for the staff. It has been crammed in at every space that is available. However, there is a need for two workstations' space and furniture for two officers. The furniture and fixtures for inmates are sufficient. Inmate bunks have pulled off from the block wall and are supported using concrete blocks as one of the legs for the bunk.

18. Transportation Vehicles
These are sufficient for the routine current use. However, there is a need for a transportation van in case of an emergency evacuation. There was a 'Tsunami Warning' on June 14, 2005. At that time, two vehicles were used to transport the inmates to higher ground. One van could have transported all inmates at one time. In future, there may not be sufficient time or vehicles to transport all inmates in two or three trips.
It must be noted that the facility is essentially at sea-level and about a city-block away from the high-tide mark. The sound from the crashing waves is quite audible from the facility. There is only one paved route out from the facility for an emergency Tsunami Evacuation.

19. Fuel for Vehicles
There is sufficient fuel for the vehicles. However, the budgeted funds may not fully account for the escalation of fuel prices in the community. Regular-grade fuel is sold at approximately $2.60 per gallon on the retail market.

20. Utilities for the Facility
BIA pays directly for all utilities. The facility is served with electricity for all uses except for a 30-KW emergency generator that uses propane from a propane tank that is installed at the site.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water for the use at the kitchen, laundry, showers and the sinks. There have been no complaints of insufficient hot or cold water. The size and age of the hot water tank could not be determined.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas.

23. On-going Repairs and Maintenance
Minor repairs under $2000.00 are performed locally. However, BIA performs all major repairs and maintenance. They are slow to respond because of the lengthy process for such work.

24. Deferred Repairs and Maintenance
The floor in the dayroom needs to be resurfaced. This floor still has the leftover dried-up carpet glue from when the carpeting was removed from the dayroom. The interiors need to be painted.
The process to install a new heat pump is under way. Of the five heat pumps that serve this facility, one was damaged last fall and could not be repaired. Part of the inmate section has been without heat since then and during the past winter. Efforts were made to increase the temperature of the surrounding spaces such that the temperature in the affected area did not fall below 69.2 degrees Fahrenheit. Eventually the temperature came up to 71 degrees Fahrenheit and was maintained.
It must be noted that at this facility, there is a constant cold, humid and salt-laden breeze at about 10 to 15 mph from the ocean. In contrast with other facilities that are further inland, this chilling effect of cold, humid and salt-laden breezes – with no wind-breaks – is a cause for a need for more intense maintenance at this facility.

25. Medical Response at the Facility
A public RN visits the facility every Friday. She monitors the routine health concerns of the inmates. She assures that vaccinations are current, and checks for pulse, blood pressure and tuberculosis. She provides adjustments to the medications used by the inmates. She is supported by a local health clinic, two dentists and two dental hygienists. Seven dispatchers at the facility are also trained as EMTs. The facility has a paramedic on staff. The first-aid supply kit is available.

Currently the facility lacks a BAC – Breath and Alcohol Content instrument. The cost of a new instrument is approximately $ 5850.00.

26. Booking Process at the Facility
The booking room is vulnerable to the safety of the officer and adjustments need to be made to provide a space that conforms to correctional standards.

27. Food Service at the Facility
The facility purchases Department of Corrections (DOC) meals for the inmates at $2.00 each. The meals are kept frozen until close to meal time. They are heated in the convection ovens in the kitchen. These meals are supplemented with apples, bananas, yoghurt and vegetables.

28. Kitchen and Dining Staff at the Facility
There is no kitchen or dining staff. The dispatch officer heats and serves the meals. The inmates eat either in their cells or at the designated secured common area outside the cells.

29. Housekeeping Staff at the Facility
The inmates do their own housekeeping. There is no designated staff for housekeeping. There is a part-time janitor who also serves as the 'maintenance man'.

30. Repairs and Maintenance Staff at the Facility
The part-time janitor also serves as the 'maintenance man'. This individual also maintains the officer vehicles.

31. Inmate Services Provided at the Facility
No specific services for rehabilitation of inmates are provided at the facility. They are working on procuring the services of a social worker.

32. Healthcare Assistance in the Community
The inmates have access to the local healthcare facility in the community. As an inmate they also have access to and use the community-provided rehabilitation programs that include: 1) mental health assessment, 2) drugs assessment, 3) alcohol assessment and 4) abuse of prescription pills – pain management. Such rehabilitation would have to be paid for through personal funds if the individual were not an inmate at this facility.

33. Other Support Agencies in the Community
To an inmate the community also provides 1) parenting classes and 2) an anger management program. Such rehabilitation would have to be paid for through personal funds if the individual were not an inmate at this facility.

34. General Reasons for Detention
The general reason for apprehension and detention is the onset of drugs- related violent crime.

35. Potentially Harmful Conditions and Behavior of Inmates
No inmate has attempted to commit suicide in the last 14 years at this facility. An attempt was made in 1992 when the inmate was found to have had a small knife.

36. Accountability and Reporting of Incidents
A comprehensive crime reporting system has been set up and is in use at this facility.

Section 3

Facility Review
March 24, 2006

1. Exterior Site Conditions
The exterior conditions of the facility are fairly poor. Rainfall in this area exceeds 100 inches per year. In addition to the rain, a marine layer sets in with 100% humidity, which has a detrimental effect on all wood construction.

2. Exterior Exercise/Recreation Area
The exterior exercise/recreation area is a chain-link enclosure with a thin galvanized steel wind barrier about 7 feet high. The general public has access to this area. The area is too close to the building to serve as a secured area for emergency evacuation of the inmates.

3. Exterior Perimeter Security
Exterior perimeter security is poor. There are insufficient cameras or lighting around the perimeter. All exterior walls of the facility are approachable by the general public.

4. Sally Port Security
The Sally port security is poor. The Sally port is set back within a fenced area. There is no turnaround for the patrol car.

5. Building Interior Security
Existing interior security the building is poor. The facility is served by a 16-unit camera system that is antiquated and does not provide coverage to all areas.

6. Building Structure
Both the old and the new sections of the building are of block-wall construction. The old section is 30 years old and the new section is 20 years old. The building has not been kept in good repair and does take an excess of wearing out because of the proximity to the Pacific Ocean and the extreme wet and salt-laden conditions. The building suffered minor damage from the Nisqually earthquake on February 28, 2001. The building is affected by tidal action.

7. Building Roof
The facility has a pitched metal roof. No leaks have been reported. However, all rain gutters are rusted out.

8. Interior Ceilings
The interior ceilings are in appropriate condition for the age of the building.

9. Interior Walls
The interior walls are in appropriate condition for the age of the building.

10. Interior Flooring
All interior flooring is in disrepair. The facility needs refinishing of all hard surface concrete flooring, resurfacing of leftover glue in the day room and new vinyl floor tiles and all remaining areas.

11. Interior Dormitory Cells
There are eight beds in four cells for the male inmates and six beds in two cells for the female inmates. The six cells are in appropriate condition for the age of the building.

12. Interior Isolation Cells
There is one interior isolation cell.

13. Interior Detoxification Cells
There is one detoxification cell at the facility. The cell has hard surfaces and is inappropriate for its use.

14. Booking and Intake Area
The booking and intake area is appropriate.

15. Visitation Area
The visitation area is secure and appropriate for its use. A glass barrier and an acoustic metal screen provide minimal communication. The space echoes during a conversation.

16. Kitchen, Food Preparation and Pantry Area
A small kitchen food preparation and pantry area is provided at the facility. Utensils are not secured and kitchen knives were noted in unsecured kitchen countertop drawers.

17. Dining Area
The dining area is appropriate for the facility.

18. Day Room Area
A minimal day room serves the facility. A television set is provided for inmates.

19. Vocational Training Area
There is no vocational training area at this facility.

20. First Aid and Medical Assistance Area
A minimal first aid and medical assistance area serves the facility.

21. Toilets and Showers
The toilets and showers are adequate. They are not set up for privacy. There are no curtains and half-height stalls are set up in common areas.

22. HVAC System
One of the five heat pumps failed about eight months ago and has not been repaired as yet. Areas served by this failed heat pump do not have heating or cooling. The officers open doors as needed to provide some ventilation, heating and cooling from other spaces to serve this space. The HVAC ductwork was cleaned out two years ago.

23. Plumbing System
The plumbing system is in disrepair. The system does not have sufficient pressure and is often clogged up. Potable water is distasteful for drinking. Coffee and pitchers of ice-water are provided to the inmates.

24. Lighting System
The lighting system is adequate for the facility.

25. Electrical Power System
Electrical service is served through a 600 amp, 208 Y/120 V, three-phase four wire system. A 30 KW propane generator serves as a standby emergency power source. All electrical service and electrical distribution in the dispatch area was upgraded two years ago. The electrical system is adequate for the facility.

26. IT System
The IT system is adequate for the facility.

27. Security System
The interior security system is inadequate. A new camera system with high-resolution monitors and additional cameras is needed to provide sufficient coverage for all areas at the facility.

28. Energy Usage and Conservation
Energy usage and conservation is fair to poor at this facility. No specific attempt is made to conserve energy. The staff reported that utility costs have been escalating at a high rate in this area.

29. Fire Egress – Exterior and/or Secured Areas
The facility needs appropriate evacuation plans. The staff conducts routine fire drills. One panic button opens all cell doors and the inmates are led to a secure area.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
The facility has smoke detectors, a fire alarm system and a sprinkler system. Fire extinguishers are placed appropriately. All systems are tested annually by A1 Fire Safety services from the nearby town of Aberdeen.

31. Building Access for Staff and Inmates
The staff accesses the building from the front door. Inmates use the Sally port for ingress and egress from the facility.

32. Hazardous Materials
There are no known hazardous materials such as asbestos, lead paint or mold at this facility.

33. Handicap Access for Staff and Inmates
Handicap ramp access is provided at the facility. There no inmates cells with provisions for handicapped inmates.

34. Potentially Hazardous Elements
The metal pans for the bunk beds have drain holes that could be used by the inmates to harm themselves.

DRAFT

Section 1

Background Information
of the
Spokane Reservation
Served by the Spokane Law Enforcement Center

Spokane Reservation[1]
Federal reservation
Spokane
Stevens County, Washington

Spokane Tribe of Indians
Alfred E. McCoy Memorial Building
6195 Ford/Wellpinit Road
P.O. Box 100
Wellpinit, WA 99040
509-458-6500
509-458-6575 Fax
Web site: spokaneTribe.com

Total area (BIA realty, 2004) 133,864.68 acres
Federal trust (BIA realty, 2004) 77.47 acres
Tribally owned (BIA realty, 2004) 108,404.10 acres
Government-owned (BIA realty, 2004) 77.47 acres
Individually owned (BIA realty, 2004) 25,383.11 acres

Population (2000 census) 2,004
Tribal enrollment (BIA labor market. report, 2001) 2,305

Total labor force (2000 census) 746
Total labor force (BIA labor report, 2001) 1,658
High school graduate or higher (2000 census) 74.6%
Bachelor's degree or higher (2000 census) 7.9%
Unemployment rate (2000 census) 19.8%
Unemployment rate (BIA labor report, 2001) 78%
Per capita income (2000 census) $10,151

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

Spokane Law Enforcement Center, Wellpinit Washington — Spokane Tribe

LOCATION AND LAND STATUS

The Spokane Reservation spans approximately 155,000 acres in northeastern Washington. The reservation was established by Executive Order on January 18, 1881, in response to more than 30 years of increasing encroachment upon Spokane lands, a trend initiated by the 1850 Land Donation Act. The tribe went to war with U.S. government forces in 1858 over unbridled Euro-American settlement, and it was defeated in the Battle of Four Lakes later that year. In 1907 the BIA granted full agency status to the 600 Spokanes, after which the BIA and tribal headquarters were established in Wellpinit. The tribe purchased 160 acres, referred to as the Mistequa property, from allottee heirs at Chewelah, 36 miles north of the reservation. The Spokane Indian Tribe has ownership of the Spokane River's bed and banks to the western shore of the Columbia River, as confirmed by Executive Order.

PHYSICAL DESCRIPTION

The reservation's southern and western boundaries are marked by the Spokane and Columbia rivers and the Coulee Dam Recreation Area. The land is rolling to mountainous in places and fairly heavily timbered.

CLIMATE

The elevation at Wellpinit, Washington, the location of tribal headquarters, is 2,450 feet above sea level. The year-round average daily high temperature is 57.3°F. The year-round average daily low temperature is 36.1°F. The area receives approximately 19.4 inches of precipitation annually, with almost 50 inches falling as snow.

GOVERNMENT

The tribe operates under a constitution approved by its members in May 1951. On August 10, 1972, the constitution was amended and a governing body established which consists of a five-person business council whose members are popularly elected to one-, two-, and three-year terms. The Spokane Business Council oversees dozens of tribal committees, commissions, boards, and enterprises with assistance from an executive director and an administrative director for tribal operations. The administrative director manages all personnel associated with the culture, community services, human resource development, finance, administrative, health and human services, and natural resource departments. Under PL-638, the business council contracts with the BIA to administer key programs and services, including their own law enforcement and tribal courts, fire management, and a housing authority that manages a total of 701 housing units on the reservation.

BUSINESS CORPORATION

Tribal business is conducted by the tribal business council.

INFRASTRUCTURE

State Highway 25 runs north-south through the reservation, connecting with U.S. 2 at Reardan, 22 miles to the south. The reservation is also accessible by State Route 231. I-395 runs near the property, as does Burlington Railroad.

Electricity – The Western Washington Power Company and the Rural Electrification Administration provide electricity.

Fuel – Independent propane distributors are available to reservation residents and facilities.

Water Supply – The U.S. Public Health Service installed five community water systems, including two for Wellpinit residents and tribal offices. The tribe built its own 350,000-gallon water system to serve the Two Rivers Casino and Resort and the recreational area. There are several municipal users of the Wellpinit sewer system, including the U.S. Postal Service, the BIA, and the Indian Health Service.

Transportation – The senior center has two vans; several individuals own heavy logging equipment; and the tribe owns numerous cars, vans, trucks, wood skidders, loaders, and small Cats. Train and bus services are available in Reardan. Commercial truck lines serve the reservation directly. Commercial air service is available in Spokane, 40 miles from the reservation.

Telecommunications – Pacific Telesis installed fiber optic cable to the Two Rivers Casino and Resort.

COMMUNITY FACILITIES AND SERVICES

The community center, built in 1975, houses tribal offices, the tribal museum, a basketball court, and many offices of the department of social services. The department operates programs to assist members with applications for Social Security benefits, foster home licensing and payment, family violence intervention, Birth-to-three early identification and referrals, adult development disabilities employment, and limited financial assistance for child care.

The tribal social services department is licensed as a private child placing agency with the State of Washington and implements the Indian Child Welfare Act. The tribe operates Children of the Sun Head Start, an adult developmental disability program, substance abuse programs, child care development that provides daycare for children in their own homes, a mental health department, and the WIC nutritional program.

The community services department oversees a children's hospital alternative program, provides basic education on fetal alcohol syndrome and alcohol-related neurodevelopmental delays and disorders, and operates a department of children and family services and a low-income housing energy assistance program. The tribal business council also assists tribal members with transportation to medically related appointments and a few other social service appointments, offers some emergency financial energy assistance, and a food distribution program including commodities, emergency food vouchers and an emergency food bank. There is a community health representative to provide health education and outreach services, and a drug elimination youth program. For those requiring treatment, there are both adult and youth holistic substance abuse programs.

Education – Students attend the area's public schools. In June 1994, the tribal council chartered Spokane Tribal College, located in Wellpinit, which is a branch campus of Salish Kootenai College. Language lab facilities and staff at the tribal college assist

with preserving, maintaining, and promoting the Spokane language and cultural practices. The schools have Internet access.

Health Care – The David C. Wyncoop Memorial Clinic, a 7,700-square-foot Indian Health Services facility, provides comprehensive ambulatory health care in Wellpinit. The JCAHO-accredited clinic also houses the contract health services program serving Ferry, Lincoln, and Stevens counties. In addition to the clinic, the Spokane Tribe operates several health programs under Indian Health Service funded PL-93-638, title I contracts, including the community health representative program, emergency medical services, alcohol and substance abuse, and mental health. Regional health care options include an Indian Health Service Spokane Urban Clinic and hospitals.

DRAFT

Section 2

Program Review
March 31, 2006

1. Funding of Operations
   All funding is provided by the BIA. Approximately $1.9 million per year is expended on this facility of which about $100,000 per year is expended on utilities. There are no tribal contributions.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for the repairs and maintenance of the facility are provided by BIA.

3. Policies and Procedures
   The facility has been working on policies and procedures for the past six years. They have incorporated the BIA standards and are presently incorporating the facility practices for the past three years. The facility reported that there are inconsistent policies between posts. There are several contradictions from the directions from the district on policies such as the use of force and regarding physical security. There is confusion on individual specific policies such as that on pepper spray, expandable batons and stab vests. The facility reported that they experience micromanagement from the senior management at the district level. A continuous stream of memos from the district level prevents them having a cohesive set of policies and procedures that they could abide by and train their officers to.

4. Staffing
   Presently there is a staff of five full-time detention officers. These officers share eight-hour shifts except when one individual may be on leave or is sick. Officers routinely work 16 hours of overtime in an eighty-hour pay period.

5. Programs
   There are no specific programs that are practiced at this facility. Inmates are sent off-site to treatment centers.

6. Staff Training
   There is no additional staff training once the officers have graduated from the Academy. The officers reported that they do submit IDP's (individual development program forms) but to no avail. One officer reported that he has had one 8-hour session of CO training in the last five years. Another officer reported that in the last nine years he has received one 8-hour , one 4-hour, one 16-hour and one 28-hour training. Another officer reported that he has received a 16-hour and a 4-hour session of training in the last six years.

7. Space for Inmates On-Site
There is insufficient space for the number of inmates that are to be incarcerated. The lead detention officer is constantly balancing the available space with the courts and the prosecutor. The lead detention officer is constantly under pressure from the 'Spokane Agency' to keep the inmate population at a low level.

8. Space for Inmates Off-Site
Presently there are no inmates housed off-site.

9. Staffing Capacity for the Inmates On-Site
There is a shortage of staff on-site. Staff is constantly reassigned between Dispatch and Detention.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide transportation of the inmates as needed. Often the detention officer is called out of bed in the middle of night to serve for six hours.

11. Office Supplies for Staff
There are insufficient funds to provide office supplies for staff and the detention facility. Most often they 'borrow' supplies from Patrol. Individuals also use their own funds – up to $300 to purchase a printer, ink cartridges and paper supplies for the printer.

12. IT Equipment for Office Use
There is sufficient IT equipment for office use at the present time.

13. IT Equipment for Communications Use
There is one radio for communications at the present time.

14. Personal Supplies for Inmates
There is sufficient funding for personal supplies for the inmates at the present time.

15. Uniforms for Staff and Inmates
There is no funding for uniforms for the staff at this time. The staff reported that they received the one allowance for the last nine years to purchase their uniform. Another officer reported that he received one allowance for a uniform for the past six years. Uniforms for the inmates are adequate at the present time.

16. Linen for Inmates
Linen for the inmates consists of blankets only. The blankets are replaced when they are worn down to two or more holes. The supply for such blankets is sufficient at this time.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the staff are worn down from years of use. Furniture and fixtures for the inmates are adequate at this time.

18. Transportation Vehicles
There are no transportation vehicles for the use of transportation of inmates at this time. For the terrain and constant rain in this area a four-wheel-drive vehicle is needed rather than a van.

19. Fuel for Vehicles
No fuel is charged for the use of transportation borrowed from other departments.

20. Utilities for Facility
Utilities for the facility are paid through the maintenance budget. The cost of propane is about $100 per day. The overall cost for all utilities is approximately $100 per year.

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
There is adequate lighting for the inmate and staff areas at the facility.

23. Ongoing Repairs and Maintenance
There are some minor repair and maintenance projects that are underway.

24. Deferred Repairs and Maintenance
There is a need for a new roof over the new section. There is a need to provide asphalt paving over 20' x 60' section.

25. Medical Response at the Facility
The only medical response at the facility is a 'first responder bag' and a 'first-aid kit'. One of the detention officers uses his personal first responder bag and training as an EMT to provide such services when he is on duty.

26. Booking Process at the Facility
The booking process is adequate for the facility at this time. The officers feel secure and there are always two officers during a booking. A restraint chair is available and there is sufficient equipment as needed for the booking process.

27. Food Service at the Facility
There is a kitchen at the facility. Two weeks' worth of food is normally purchased and is stored in freezers located in other buildings.

28. Kitchen and Dining Staff at the Facility
The detention officers serve as the kitchen and dining staff at the facility.

29. Housekeeping Staff at the Facility
Inmates provide housekeeping for their own areas. Detention officers provide housekeeping for the staff areas. They are assisted by a custodian who maintains the exterior areas.

30. Repairs and Maintenance Staff at the Facility
There two full-time individuals who provide repairs and maintenance for this facility and six other buildings maintained by the BIA.

31. Inmate Services Provided at the Facility
The only inmate services are provided by the Health and Human Services in the community. No religious services are provided. Inmates have requested a sweat lodge but none has been provided for lack of space in the area. Clergy do not visit the site.

32. Healthcare Assistance in the Community
Indian Health Services provides healthcare assistance to the inmates. However, the inmate has to be transported and is escorted by a detention officer for up to four hours while the inmate is at the healthcare service.

33. Other Support Agencies in the Community
There are other support agencies within the communities such as: Classes for Domestic Violence, Talking Circle and Alcoholics Anonymous.

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 1133, 1600 and 26,700 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
A mental health services counselor visits occasionally to evaluate and process inmates who exhibit suicidal behavior.

36. Accountability and Reporting of Incidents
Monthly reports for all incidents are provided to the BIA.

Section 3

Facility Review
March 31, 2006

1. Exterior Site Conditions
   The exterior conditions of the building are fair to poor. The building is located within a cluster of other governmental buildings. Recent additions have allowed this building to have some separation and distance. However, it is still within easy reach of the general public.

2. Exterior Exercise/Recreation Area
   The exterior exercise/recreation area has been added and expanded recently. This area has been secured with a chain-link fence, razor wire and cameras.

3. Exterior Perimeter Security
   The building houses the Police Department as well as the detention facility. The exterior perimeter security is poor at best. The building is secured by both stationary and moving cameras and all angles are covered. The general public has access to the interior of the building that serves the Police Department. The perimeter for the detention facility as such is insecure.

4. Sally Port Security
   There is no Sally port. Patrol cars are parked in the normal parking lot in the front of the building and inmates enter the building through a side entrance.

5. Building Interior Security
   The building interior security is fair. The new cameras provide extensive coverage and there are electronic locks at every door. These electronic locks can be overridden by a mechanical key. The detention officer carries this one single master key in his pocket. Security can be compromised should this officer be overwhelmed by an inmate.

6. Building Structure
   The building structure is in good repair. All building walls of the old and the new sections are of block-wall construction. The old section of the building was built in 1969 and the new section was added in 1997.

7. Building Roof
   A metal roof was installed over the old section in 2005. This roof is in good repair. A flat roof with a tar covering is provided over the new section. This roof is in disrepair and in need of replacement.

8. Interior Ceilings
   Interiors consist of hard ceiling and drop ceilings. All of the interior ceilings are in good repair.

9. Interior Walls
All of the interior walls are block-wall construction. Walls in the new section have been recently painted. Walls in the old section need to be painted.

10. Interior Flooring
The new section consists of sealed concrete for interior flooring. The control room and parts of the offices in the old section need new vinyl tile and new carpeting.

11. Interior Dormitory Cells
The interior dormitory cells are in good repair.

12. Interior Isolation Cells
The interior isolation cell is in good repair.

13. Interior Detoxification Cells
There is no specific detoxification cell. The interior holding cell also serves as a detoxification cell. The cell has hard surfaces and inmates are prone to hurt themselves when intoxicated.

14. Booking and Intake Area
Booking and intake area is adequate. A fingerprint machine and a BAC machine are provided at the booking area.

15. Visitation Area
There is only one station for visitation. There is a glass barrier and a telephone/intercom is provided for the use of the inmate and the visitor.

16. Kitchen, Food Preparation and Pantry Area
There is a basic kitchen food prep and pantry area. Kitchen utensils are stored in unsecured kitchen drawers. The facility needs to provide secure cabinets for all utensils and knives.

17. Dining Area
There is no separate dining area for the facility. Inmates use a common area around the cells. This area has a TV set for the inmates.

18. Day Room Area
There is no specific day room at this facility.

19. Vocational Training Area
There is no specific vocational training area at this facility.

20. First Aid and Medical Assistance Area
There is no specific area to provide first aid or medical assistance to the inmates at this facility. Officer Cliff Matterly serves as an EMT during his shift; otherwise all inmates are referred to an EMT from the local Indian Health Service.

21. Toilets and Showers
The toilets are operational; however, all tile at the showers need to be replaced.

22. HVAC System
The HVAC system in the old section of the facility was replaced in 2005. The HVAC system in the new facility was installed in 1997. Both systems are in good operating condition. There is one cell that has two exterior walls. This cell gets either too warm or too cold. An independent duct and temperature control needs to be added to this cell to provide adequate cooling and heating.

23. Plumbing System
The plumbing system is generally adequate except it gets plugged up when inmates flush incompatible objects through the toilet. Screens need to be provided at all cleanouts.

24. Lighting System
The lighting system is generally adequate for the staff and inmates at the facility. The facility needs to change two LED exit lights which are not operational at present. Presently lighting in the common hallway has to be switched off to permit adequate viewing of the camera monitors in the control room. The control room requires low-level lighting the manual controls to permit viewing of the camera monitors and the inmates across the control room.

25. Electrical Power System
The electrical power system is a new upgraded three-phase service at 208 Y/120 volts.

26. IT System
The IT system is adequate. A new standard computer, a new camera system and new camera monitors were recently provided.

27. Security System
A new security camera system was installed in 2005. All exterior lighting is operated through a photocell to provide lighting all night long.

28. Energy Usage and Conservation
Several energy conservation features are installed at this facility. These include: 1) All attics and hallways are insulated; 2) A reflective aluminum coating is provided on the roof; 3) The thermostat is set at 70°F; 4) T8 lamps are used for all lighting fixtures; 5) Cold and hot water pipes are all insulated and 6) The old inefficient boiler was replaced with a new efficient boiler system.

29. Fire Egress – Exterior and/or Secured Areas
Fire evacuation plans are posted along the route of the fire escape. A new exterior secured area was provided in 2005 to evacuate all inmates during an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
The facility has both a fire alarm system and a sprinkler system. However, the facility needs a dry system in the control room to prevent all security systems from water damage, should the sprinkler system be activated during an emergency.

31. Building Access for Staff and Inmates
There are two access doors for the inmates. The building staff enters and exits the building through the front door which is also used by the general public.

32. Hazardous Materials
The building was abated for all asbestos and lead paint in the boiler room. There are no asbestos or lead paint at the facility at this time.

33. Handicap Access for Staff and Inmates
The building meets the requirements for handicap access and is in compliance with the ADA standards. One male and one female cell at the facility provide access for handicapped inmates.

34. Potentially Hazardous Elements
Grab bars and corners of bunk beds provide a way for the inmates to commit suicide. Two such unsuccessful attempts were made at the facility.

DRAFT

Section 1

Background Information
of the
Warm Springs Reservation
Served by the Warm Springs Detention Center

Warm Springs Reservation[1]
Federal reservation
Ichishkiin, Kiksht, Numu
Jefferson, Wasco, Linn, Marion, and Clackamas counties, Oregon
Warm Springs Reservation
1233 Veteran Street
P.O. Box C
Warm Springs, OR 97761
541-553-3468
541-553-3435 Fax
Website: ctws.com

Total area (BIA realty, 2004) 652,993.95 acres
Federal trust (BIA realty, 2004) 16.02 acres
Tribally owned (BIA realty, 2004) 610,323.73 acres
Individually owned (BIA realty, 2004) 42,745.20 acres

Population (2000 census) 3,311
Population (Tribal source, 2004) 4,000
Tribal enrollment (Tribal source, 2004) 4,248

Total labor force (2000 census) 1,373
High school graduate or higher (2000 census) 73.8%
Bachelor's degree or higher (2000 census) 4.8%
Unemployment rate (2000 census) 19.6%

Total labor force (BIA, 2003) 1,908
High school graduate or higher (2000 census) 73.8%
Bachelor's degree or higher (2000 census) 4.8%
Unemployment rate (Tribal census, 2003) 37%
Per capita income (2000 census) $9,136

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

LOCATION AND LAND STATUS

The Warm Springs Reservation is located in north-central Oregon on the eastern slope of the Cascade Range, approximately 100 miles southeast of Portland. The reservation was established by treaty in 1855. The confederated tribes' claim that a faulty survey in 1871 had deprived them of a 78,000-acre tract known as the McQuinn Strip was resolved in 1972 when Congress returned most of this valuable timber zone to the tribe. The tribe annually allocates funds for the purchase of lands, and in 2004 they purchased property on the northern shore of Lake Billy Chinook. In 1996, just over one percent of the reservation was owned by non-Indians.

PHYSICAL DESCRIPTION

Over half of the reservation is forested and the remainder is constituted primarily of rangelands. There are also canyons, high desert vistas, and volcanic peaks. The Cascade Mountains and Mt. Jefferson lie within reservation boundaries. The reservation contains the Deschutes River, Warm Springs River, Olallie Lake, and Lake Billy Chinook. The tribe maintains control of its waterways. The Town of Warm Springs is the reservation's population center, with smaller communities dispersed in rural areas.

CLIMATE

The reservation experiences a range of weather due to its size and location. Annual precipitation on the Cascade Mountains averages 120 inches, while the annual average in the lower regions of the reservation is 10 inches. The Cascades receive an average of 200 inches of snow per year and the lowlands receive approximately 15 inches per year. Annual temperatures range from -38°F in the winter to 104°F in the summer.

GOVERNMENT

The current tribal government was established in 1938 with a constitution and charter that basically adhere to the provisions of the 1934 Indian Reorganization Act. An 11-member tribal council oversees all tribal operations. Eight of the council members are elected to three-year terms from districts traditionally associated with the confederation's three tribes; each of the three tribal divisions is represented by a chief who serves on the tribal council for life. Two members of the council serve as its officers, a chairperson and a vice-chairperson. Another officer, the secretary-treasurer oversees management of the tribal corporation's commercial enterprises and policy matters. A chief operating officer oversees government services.

The tribe contracts law enforcement services, the Johnson O'Malley program, Indian Child Welfare Act, social services, judicial services, water management programs, fish and wildlife services, forestry services, road construction, housing improvement programs, and wild life management services through the BIA. It contracts alcohol and drug abuse prevention programs, adolescent aftercare services, mental health, community health, environmental health representatives, health education programs, contract health services, and facility management through the Indian Health Service. The tribe's public safety branch includes the police department, fire and safety, tribal prosecutor, victims of crime parole, and probation and legal aide.

BUSINESS CORPORATION
Warm Springs Ventures oversees economic development projects for the tribe. It currently manages tribal construction projects and marketing for the industrial park in addition to Cort Directives, Kibak Tile, and Sea Lane Tile. Future projects include the completion of a tribal commercial code, a downtown development plan, and a sustainable tourism plan.

Warm Springs Power Enterprises manages the facilities at the Pelton-Round Butte Project and oversees the sale of electrical output. The tribes are co-licensees of the Pelton-Round Butte Project, and the electrical output is sold to PacifiCorps.

INFRASTRUCTURE
U.S. Highway 26 runs through the reservation in a northwest to southeast direction. In 1999, the tribe began the Dry Creek realignment project on Warm Springs Route 3. The project will enhance road safety in the area. It also completed road designs for the Greeley Heights Subdivision Phase 5 and the Salmon Drive Subdivision road, water, and sewer projects. An extension on Upper Dry Creek Road was also completed.

Electricity – Pacific Power and Wasco Electric provide electricity to the reservation.

Fuel – Local distributors provide propane.

Water Supply – A community water system, a network of 220 wells, furnishes water. Four separate cell lagoon systems provide sewer service. A 200,000-gallon water storage tank was completed in 1999. It serves the Sidwalter community. The tribe also began construction of wastewater stabilization ponds at Simnasho in 1999.

Transportation – The nearby town of Madras has a municipal airport, and the City of Redmond provides commercial air service. The nearest railroad service is available in Madras. UPS and FedEx both provide services to the reservation.

In cooperation with Jefferson County, the Warm Springs Reservation has developed a transportation coordination project to address the transportation issues affecting area residents. The project's goal is to develop reliable means of mobility for residents. Projects include developing shuttle and taxi services and providing assistance for community service programs. The tribal council has coordinated allocation of funding in support of a Madras-Warm Springs shuttle service so tribal members and others have access to employment and education opportunities concentrated near Madras, Oregon, and elsewhere in the region. There will also be a shuttle operating between the Kah Nee Ta Resort and the Madras shuttle pick-up and drop-off locations to encourage tourism.

Telecommunications – Qwest supplies telephone service. Broadband service is available for Internet access.

COMMUNITY FACILITIES AND SERVICES
The tribe maintains a community center in the community of Warm Springs. The tribal culture and heritage program offers instructional classes in the indigenous languages of the Ichishkiin, Kiksht, and Numu tribes. The Warm Springs small business center

provides tribal members with technical assistance, courses, business counseling, and access to computers and general office facilities.

Education – School District 509-J maintains a school for children in K–4, while junior high and high school students attend public schools in nearby Madras. The tribe has approved the development of a new K–5 school; construction is expected to begin within the next three years. The tribal culture and heritage program offers language classes in all three native languages of the Confederated Tribes. The tribe also provides an adult education program, vocational training, and an Oregon State University Extension Office.

Health Care – The tribe's community health education team oversees the health services available to tribal members. The tribe operates its own health and wellness center in a state-of-the-art facility. Services include comprehensive medical, dental, pharmacy, and outpatient care. The center also operates a diabetes clinic. The tribe's managed care program is responsible for managing funds used to supplement tribal health care services. Funds are available when a tribal member seeks the services of providers outside the health and wellness clinic.

The High Lookee Lodge Assisted Living Residence provides senior and disabled tribal members with the opportunity to live in private apartments served by an assisted living program. Amenities include an emergency call system, a ceremonial tribal room, a dining room, housekeeping services, a sauna, a courtyard and salmon pit, nursing staff, and transportation coordination. The tribe also has a senior community center and senior housing facilities.

DRAFT

Section 2

Program Review
March 30, 2006

1. Funding of Operations
   The BIA provides funding for the operations through the PL 93 - 638 program. BIA provides approximately $500,000. Majority of the funding is provided by the tribe.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA owns the building. The BIA is responsible for the maintenance and repairs of the building. However, the funds provided are not sufficient.

3. Policies and Procedures
   The policies and procedures of the facility are in good order. BIA Standards, the Bureau of Prisons Standards, State standards for Oregon and Idaho, ECA standards, AJA standards and the Supreme Court and 9th Circuit Court rulings have been incorporated in the policies and procedures.

4. Staffing
   The facility is understaffed. There are 14 full-time officers and two corporals in addition to two full-time administrators. Officers often leave as soon as they are fully certified. Local salaries are about half of that of the State salaries for similar positions and qualifications.

5. Programs
   There is insufficient space to provide programs for the inmates. The facility was not built for it. However, a number of groups provide their services to the facility such as: 'victims of crime' (VOC), community counseling services for drug abuse and abuse of women, native church and religious services and services by the Protestant ministers. At one time the facility initiated a GED program that cost $4500 to initiate in addition to monthly charges. This was discontinued for lack of funds.

6. Staff Training
   The facility provides continuous training through the Oregon Police Academy. Additional FTO training is provided. Skills are demonstrated through in-house training.

7. Space for Inmates On-Site
   There is insufficient space for the need of all of the inmates. For a capacity of 48 inmates, over 70 inmates were housed at this facility six weeks ago. On average there are 54 to 55 inmates daily. Over 300 individuals were booked during the 'Piumshah' days.

8. Space for Inmates Off-Site
No inmates are sent off-site that this time.

9. Staffing Capacity for the Inmates On-Site
There is insufficient staff for the number of inmates to provide adequate coverage for all shifts.

10. Staffing Capacity for Transportation and Escort for Inmates
The department has a bailiff who provides escort services. The detention staff provides transportation to the IHS service or the health facility in Bend, Oregon 60 miles away. Staff also transports juveniles to Dalles about 85 miles away. There could be two to three trips per day to these facilities. About 25% of all overtime by the staff, on average, is expended on moving the juveniles around.

11. Office Supplies for Staff
There are insufficient funds for office supplies. There was no funding at all during September/October last year to even purchase pencils.

12. IT Equipment for Office Use
There is sufficient equipment for the IT needs at this time.

13. IT Equipment for Communications Use
There is sufficient equipment for communications at this time. IT was facilitated by a grant of $43,000 that was used to procure radios, stab-resistant vests, chains, handcuffs and a security enclosure and camera for the van.

14. Personal Supplies for Inmates
There are insufficient funds to provide for the personal supplies for the inmates. The department has to redirect funds on a continuous basis.

15. Uniforms for Staff and Inmates
There are insufficient funds for uniforms for staff and inmates. Inmates recently changed from street clothes to uniforms.

16. Linen for Inmates
There are sufficient blankets for the inmates at this time.

17. Furniture and Fixtures for Staff and Inmates
There are insufficient funds to provide appropriate furniture and fixtures for the staff and inmates. The inmates use portable electronic devices, which are being phased out for TV/DVD combination units with remote controls.

18. Transportation Vehicles
There is no vehicle to transport inmates at this time. The BIA is planning to buy an all-wheel drive van for 11 passengers.

19. Fuel for Vehicles
The tribe purchases fuel at $2.55 per gallon.

20. Utilities for facility
The facility uses oil-fired boilers for heating, natural gas for cooking and electricity for the remaining use at the facility. The cost of all utilities is on the rise.

21. Hot and Cold Water for Kitchen, Laundry and Showers
The facility uses a 75-gallon, high-recovery hot water tank. There is only one washer and one dryer for the entire facility at this time.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting in all areas for inmates and staff.

23. Ongoing Repairs and Maintenance
The refrigerators in the kitchen are in disrepair and need new compressors. The showers are in disrepair. Flush valves at the toilets are in need of repair and cannot be purchased since supply houses do not carry such old-style valves.

24. Deferred Repairs and Maintenance
The BIA is planning to furnish a new camera system, kitchen tile and a cover over the recreation yard.

25. Medical Response at the Facility
The Warm Springs Fire Safety Department provides some medical response to the facility. The Indian Health Services has instructed the community health nurse to reduce the site visits to only one two-hour visit per week. For all healthcare services, inmates have to be transported to the hospital 16 miles away in the city of Madras. Inmates are not checked for TB, HIV or hepatitis. Hepatitis and TB are very prevalent in the community.

26. Booking Process at the Facility
The intake and booking area is adequate. There is insufficient space or an organized process for the storage of personal property from the inmates. However, storage space is in short supply. The mechanical room is used for storage of 'evidence' from the Police Department.

27. Food Service at the Facility
The food service at the facility is adequate. The facility has switched over to all frozen meals provided by the Washington State Department of Corrections. The costs range from $1.65 per meal to $1.80 per meal. The meals are furnished by First Choice Foods. The Indian Health Service provided a nutrition evaluation and reported that the facility is providing above the standard nutrition than that required. The Indian Health Service also provides assistance with the safety issues. Knives are not allowed in the

detention facility. Plastics 'sporks' are used instead of the traditional fork and spoon.

28. Kitchen and Dining Staff at the Facility
A kitchen staff is not needed anymore. Detention officers serve the meals to the inmates who dine at the day room and in their cells.

29. Housekeeping Staff at the Facility
The inmates and the staff provide the housekeeping at the facility.

30. Repairs and Maintenance Staff at the Facility
There are two full-time individuals who provide shared services for repairs and maintenance at this facility and other facilities operated by the BIA.

31. Inmate Services Provided at the Facility
A few inmate services are provided at the facility. A number of groups provide their services to the facility such as: 'victims of crime' (VOC), Community Counseling Services for drug abuse and abuse of women, native church and religious services and services by the Protestant ministers.

32. Healthcare Assistance in the Community
The Indian Health Services provides healthcare assistance locally. Mountain View Hospital in Madras, 16 miles away, provides additional health care services.

33. Other Support Agencies in the Community
Support agencies in the community include: community counseling services, alcohol and drug counseling services, victims of crime services and church groups.

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 5782, 10,551 and 91,893 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
There have been six to eight suicide attempts in the past few years. Two successful suicides occurred between 1993 and 2003 where inmates had used the bed sheets to construct a rope, which was then used from the corner of a bedpost. Suicide smocks are used when an inmate is placed on a suicide watch.

36. Accountability and Reporting of Incidents
The facility sends a weekly report to the BIA. This report includes all assaults, attempted escapes and suicides.

Section 3

Facility Review
March 30, 2006

1. Exterior Site Conditions
The facility is located in town. The general public has access up to the exercise/recreation areas where contraband can be tossed in.

2. Exterior Exercise/Recreation Area
Exterior exercise and recreation area is provided. However, there have been two escape attempts over the last few years. Additional barbed wire and razor wire has been placed above the exterior wall of the exercise area.

3. Exterior Perimeter Security
The exterior perimeter security is poor. The general public has access up to the perimeter of the facility.

4. Sally Port Security
A garage-style Sally port with a rollup door is provided.

5. Building Interior Security
There are three 16-camera systems that provide security to the facility. A new camera system is being installed at this time. Exterior windows have sensors that are inoperative at this time.

6. Building Structure
The building is made up of block-wall construction in the detention area and metal framing in the police area.

7. Building Roof
The roof of the building is in good repair. The roof was installed in the fall of 2005.

8. Interior Ceilings
All interiors consist of hard ceilings that are in good repair. Stains from past roof leaks were noted on some lay-in ceilings.

9. Interior Walls
The interior walls are adequate though the concrete block-wall is aging. There was one incident of someone able to core through a filled-in and re-barred block-wall.

10. Interior Flooring
The interior flooring is made up of textured sealed concrete and is in fair shape.

11. Interior Dormitory Cells
The interior dormitory cells are in disrepair and show signs of aging, both at the walls and the furniture and fixtures provided in the dormitory cell.

12. Interior Isolation Cells
The interior isolation cells appear adequate.

13. Interior Detoxification Cells
The interior detoxification cells need flexible resurfacing that is not toxic or flammable.

14. Booking and Intake Area
The booking and intake area is adequate though small. A freestanding countertop provides space for the computer system and the breath analyzer for alcohol content.

15. Visitation Area
The visitation area is small. One contact visitation room is provided. The telephone is inoperative.

16. Kitchen, Food Preparation and Pantry Area
The dry storage for food is adequate. The kitchen cabinets are in disrepair and need to be replaced. There is a need for one large refrigerator.

17. Dining Area
Inmates are served in the day room which does not have sufficient space to serve all of the inmates at one time. In addition to serving certain inmates at their cells, three meal shifts for each meal are used to serve all of the inmates.

18. Day Room Area
The day room is used both as a day room and as a dining area. The common area adjacent to the security cells are also used as day rooms by the inmates who are housed in those cells.

19. Vocational Training Area
There is no specific vocational training area at this facility.

20. First Aid and Medical Assistance Area
One small room adjacent to the booking area is used to provide first aid and medical assistance to the inmates. The space includes the sink, a shower and a refrigerator for the storage of medications for the inmates.

21. Toilets and Showers
The toilets and showers are in disrepair and not sufficient for the number of inmates. On average one toilet is used by 10 inmates, and one shower stall is used by 12 inmates.

DRAFT

22. HVAC System
The HVAC system is 20 years old and shows signs of aging and neglect. Cooling is provided by a chiller and two air handlers. Heating is provided by an oil-fired boiler. The systems do not have automatic temperature controls and do not respond to changes in temperature. They can either provide heating or cooling when switched manually and set for a specific temperature.

23. Plumbing System
The plumbing system is operational. However, the sewer lines are often plugged up as a result of inmates flushing incompatible objects through the sewer lines. Screens need to be provided at each cleanout to separate such objects and to keep the free flow of sewer lines.

24. Lighting System
The lighting system is adequate for the facility.

25. Electrical Power System
The electrical power system and the backup electrical service are adequate for the facility. The electrical power is served by 1200 amp, 208Y/120 volt electrical service. This is backed with a 60 KW backup generator.

26. IT System
The IT system is adequate for the facility.

27. Security System
The camera system is adequate for the facility. The fire alarm and detection system are adequate and operational.

28. Energy Usage and Conservation
No specific attempt is made to conserve energy.

29. Fire Egress – Exterior and/or Secured Areas
The fire egress is inadequate. In the event of an emergency, it will be very difficult to evacuate the inmates within three minutes to an appropriately distant, safe and secured space.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is an adequate fire alarm and sprinkler system and fire extinguishers are maintained appropriately. All systems are tested annually.

31. Building Access for Staff and Inmates
The staff accesses the building through the front entrance. Inmates use the Sally port for ingress and egress from the facility.

32. Hazardous Materials
No asbestos, lead paint or mold has been reported thus far. However, the shower areas are constantly moist as a result of overspray and splash from the shower pan. These areas are apt to grow mold and need to be monitored.

33. Handicap Access for Staff and Inmates
There is a basic ramp at the front entrance for the use of staff. However, the building does not meet ADA standards. There is no qualified cell that is ADA compliant. Funding has been procured to provide grab bars in the shower and to provide an ADA-compliant toilet. However, there is no funding for the wider doors that are required or for the ADA-compliant toilets for the visiting public.

34. Potentially Hazardous Elements
The double bunk beds provide corner posts that may be used to commit suicide. The metal pans of the bunk beds have large drain holes that may also be used to commit suicide. Such attempts were successfully made in the past to commit suicide by inmates at this facility.

DRAFT

Section 1

Background Information
of the
Yakama Reservation
Served by the Yakama Police Department

Yakama Reservation[1]
Federal reservation
Yakama
Yakima and Klickitat counties, Washington

Confederated Tribes and Bands of the Yakama Nation
P.O. Box 151
Toppenish, WA 98948
509-865-5121
509-865-5528 Fax

Total area (BIA realty, 2004) 1,181,924.56 acres
Total area (Tribal source, 2004) 1,400,000 acres
Federal trust (BIA realty, 2004) 22.85 acres
Federal trust (Tribal source, 2004) 900,000 acres
Tribally owned (BIA realty, 2004) 969,996.72 acres
Individually owned (BIA realty, 2004) 211,904.99 acres

Population (2000 census) 31,799
Tribal enrollment (BIA labor report, 2001) 8,624
Tribal enrollment (Tribal source, 2004) 9,715

Total labor force (2000 census) 12,332
Total labor force (Tribal source, 2004) 5,548
High school graduate or higher (2000 census) 56.4%
Bachelor's degree or higher (2000 census) 9.3%
Unemployment rate (2000 census) 18.1%

LOCATION AND LAND STATUS
The Yakama Reservation is located in a rural, isolated area in south-central Washington, 200 miles from the urban centers of Seattle and Spokane. In 2004 it consisted of 1,371,918 acres, including nearly half of Yakima County and part of Klickitat County. One and a half times the size of the state of Rhode Island, the

[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.

DRAFT

reservation lies along the eastern slopes of the Cascade Mountains. Major towns include Toppenish, population 6,550, where the tribal headquarters are located, and Yakima, with a population of 184,400.

Although the Yakamas ceded 10,828,800 acres of ancestral homeland to the U.S. government, they reserved their right to hunt, fish, access, and use traditional cultural sites; gather traditional foods and medicines; pasture stock; and have water in sufficient quantity and quality in all of their "usual and accustomed places" within this ceded area.

In the era of allotment, young Chief Shawaway Cooahyahhen led a successful legal battle to retain tribally owned reservation land. By the 1980s, however, most reservation land was again in the hands of non-Native Americans; approximately 900,000 acres remain in federal trust today. During the early 1990s, the Yakama Nation spent almost $54 million to repurchase reservation land. The tribal land enterprise was established to acquire key tracts, including those held in complicated heirship status, and to improve and develop land in the tribe's best interests.

After a long history of litigation, the Yakamas today operate fisheries for ceremonial, subsistence, and commercial purposes. Each of 14 original tribes and bands are represented on the tribal council. The Yakama Nation now owns and controls a large and increasing number of acres within the reservation's boundaries as a result of lengthy legal actions. Throughout the areas known as "ceded lands" and "usual and accustomed places," the Yakama Nation continues to hold interests in the use of the natural resources.

DRAFT

PHYSICAL DESCRIPTION
The Yakama Reservation is located on the eastern slopes of the Cascade Mountains in the Yakima Valley in south-central Washington. Mount Adams, the Klickitat River, and the Yakima River are among the reservation's defining features. The Yakima River borders the reservation on its eastern side.

CLIMATE
The Yakama Reservation is located within Yakima County. This four-season climate lies in the heart of the Pacific Northwest and provides an ideal living environment. Sheltered from western Washington's typically heavy rainfall by the Cascade Mountains, the Yakama Valley boasts an annual average of 300 days of sunshine. The normal precipitation is only eight inches a year, almost half of which occurs mostly as snowfall in the months of November, December, and January

GOVERNMENT
In 1933 the Yakama Nation established a tribal government. The Yakama Reservation and its members are governed by the Yakama Nation Tribal Council, with a chairperson, vice-chairperson, and secretary. Since the Yakama Nation was made up of 14 tribes and bands, each group selected a representative to the council, forming a tribal government.

All enrolled Yakamas become voting members of the general council on their 18th birthday. In 1947 a rule change provided for the general council to elect half of the

tribal council members every two years for four-year terms. Committees, tribal administrative managers, and officers report to the council.

Tribal administration includes a number of standing and special committees. The eight standing committees are: enrollment; legislative matters; budget; economic development, which oversees timber and grazing as well as the tribe's larger economic progress; fish and wildlife and law and order; loans, housing, and education; youth activities, welfare, employment, and health; and land issues, including irrigation and roads. Six special committees focus on tax; timber, fish and wildlife; radioactive and hazardous waste; cultural issues; public relations and the media; and veterans issues.

Yakama Nation justice services include the following: tribal children and adult court, drug court, appellate court, probation services, public defenders and prosecutors offices, special tax, and juvenile prosecutor.

INFRASTRUCTURE

The Yakama Reservation is located just off U.S. I-82, directly south of the metropolitan area of Yakima, Washington. It is approximately 30 miles south of the intersection of U.S. I-82 and I-90. All motor freight and delivery services, as well as rail services, are available. The reservation is served by the Yakima Airport and Seattle-Tacoma International Airport, approximately 150 miles distant.

Fiber optics for tribal complexes and a telecommunications company will soon provide broadband services throughout the reservation. Also, conduits for an electric utility are being placed underground; they will provide Yakama homes and businesses with efficient, low-cost heating.

Electricity – Yakama Power, the Yakama Nation's Tribal Electric Utility, is in the start-up phase. In 2005 Pacificorp and Benton Rural Electric supplied electricity to reservation residents.

Fuel – Electricity; pellet stoves, and wood stoves are used in homes; Cascade Natural Gas provides natural gas to a few reservation residents. Some propane is used at Camp Chaparral. Yakamart at Pahto Crossing is the fuel and gasoline provider and distributor for the lower valley and for Native American distributors.

Water Supply – The Wapato Irrigation Project provides water to most acreage, including leased acreage, for a charge paid directly to the project.

Two tribally owned and operated water supply systems serve the reservation. The Goreville tribal water system provides: 1,184.300 gallons per month to 100 area residents, 134,926,900 gallons per month to 800 White Swan residents, 6,487,204 gallons per month to 100 South White Swan residents, and 45,623,400 gallons per month for the Yakama tribal complex. There are four operations employees, all of whom are tribal members. Two are certified operators. The Wolfpoint Community Water System is supplied by two wells at a depth of 100 feet. The system provides 40,000 gpd of water to 30 residential customers in the Wolfpoint area. The Indian Health Services constructed the system in 1987.

DRAFT

The City of Toppenish operates a wastewater treatment facility within the reservation's boundaries. In August 1997, U.S. EPA issued a National Pollution Discharge Elimination System (NPDES) Permit, authorizing the plant to discharge to the Toppenish Drain on the reservation. The U.S. EPA had not yet approved the Yakama Nation to set water quality standards for water within its boundaries. The City of Wapato also operates a wastewater treatment facility on the reservation. In 1998, the U.S. EPA issued an NPDES permit authorizing the plant to discharge to Drainage Way No. 2 to the Yakima River and to landfill and land apply treated biosolids. The Yakama water and wastewater systems are being upgraded.

Transportation – Yakama Nation Transportation is part of the Yakama Nation Department of Natural Resources' effort to construct, preserve, repair, and restore the Yakama Reservation's system of roadways and bridges. The program provides quality road systems that support economic development. Currently, a shuttle service is being provided to the patrons of the Yakama Nation Legends Casino.

COMMUNITY FACILITIES AND SERVICES

A recreational sports complex is available for Yakama Nation members and community usage. There are two tribal community centers on the reservation, built to accommodate tribal functions. The tribe also established a financial institution primarily to serve its employees and members.

DRAFT

Education – The Yakama Nation Head Start program is a comprehensive child development program that promotes school readiness by enhancing social and cognitive development to low-income children. The curriculum encompasses: language development, literacy, math, science, creative arts, social and emotional development, approaches to learning, and physical health and development. Yakama Nation tribal school is a K–12 school and is currently participating in school reform through "No Child Left Behind Laws" and by fostering literacy through a READ RIGHT curriculum. In 2004, 102 students attended the tribal school, with 18 graduates. The Yakama Nation adult vocation training program served 577 people for a variety of services and is a BIA-contracted program. Yakama Nation higher education provides higher education opportunities to attend colleges and universities for degree-seeking students. In 2004, 295 students applied for tribal scholarships, 168 eligible students were assisted with funding for higher education degrees, students attended 61 colleges in 15 states, 34 Yakama college students earned degrees, 13 earned two-year degrees, 16 earned four-year degrees, and 5 earned doctorates.

Health Care – Indian Health Services operates a 40,000-square-foot facility located near Toppenish. The JCAHO-accredited Yakama Nation Tribal Health Facility opened in 1990 and houses tribal- and Indian Health Service-operated programs that offer a full range of ambulatory health and dental services. General medical services are available daily in addition to special services for well child care, internal medicine, women's health care, and diabetes. The tribe and Indian Health Service employ 8 physicians, 6 dentists, a physician's assistant, and 13 midlevel practitioners who are RNs, NPs or PHNs.

In addition, the tribe owns and operates the White Swan Health Clinic, which is located in the rural community of White Swan, 20 miles west of Toppenish. Itinerant health and social services are offered through the maternal child health, nutrition, WIC, CHR, and alcoholism programs. The 2,700-square-foot clinic offers limited primary care on weekdays from 8 a.m. to 5 p.m., and operates a 24-hour, 7 day a week ambulance. The tribe also operates a satellite maternal child health center, with 1,585 square feet, in the Apes Goody Housing Project in Wapato.

DRAFT

Section 2

Program Review
April 1, 2006

1. Funding of Operations
The facility operates with a budget of $2.5 million per year for the operations of law enforcement. This includes a contribution of $1.2 million from the BIA through the PL - 638 program. Facilities receive additional funding for indirect costs of about $300,000 which are expended towards the operation of the facility and the repairs and maintenance of the facility.

2. Funding of Repairs and Maintenance of Facility Structure
Funding of repairs and maintenance is provided through the PL - 638 program and approximate $300,000 per year.

3. Policies and Procedures
Developing policies and procedures for the facility has been 'on hold' for several years. One version of the policies and procedures was submitted to District 5 but this was not accepted. The facility has requested assistance to develop their specific policies and procedures, which they have been unable to accomplish thus far.

4. Staffing
The facility is closed at this time. There are seven full-time detention officers and one full-time administrator. Three officers are loaned to dispatch at this time. There are seven certified detention officers that are available to serve the facility if it opens.

5. Programs
The facility is closed at this time. So there are no programs that serve any inmates. Even if the facility were to open, there is no space to provide for such programs for the inmates.

6. Staff Training
No additional training has been provided to the staff since their original certification from the Academy.

7. Space for Inmates On-Site
There are 45 beds available in four dormitory-style cells at this facility.

8. Space for Inmates Off-Site
At this time all inmates are housed off-site. There was an average of 28 inmates per day for the last six months who were housed off-site. At peak,

DRAFT

there were 47 inmates from the Yakama Nation who were housed off-site during the month of January 2006.

9. Staffing Capacity for the Inmates On-Site
Seven certified detention officers are available to work at this site, should it open. Three of these officers are loaned to the Dispatch.

10. Staffing Capacity for Transportation and Escort for Inmates
Detention officers provide all transportation and escort for inmates.

11. Office Supplies for Staff
There are sufficient office supplies for staff at the facility.

12. IT Equipment for Office Use
There is sufficient IT equipment for the office staff use at this time. Laptop computers were procured through the COPS grant. There is no appropriate IT equipment for the control room at this time. The facility also needs additional software to integrate with the requirements of the courts system.

13. IT Equipment for Communications Use
The staff lacks radios for communication. Presently frequency interferences with Coleville law enforcement about 230 miles away affects the safety of local law enforcement. There is a need for 12 radios and an integrated console and an antenna.

14. Personal Supplies for Inmates
Personal supplies are adequate for the inmates, should the facility open.

15. Uniforms for Staff and Inmates
Uniforms for the staff and inmates are adequate, should the facility open.

16. Linen for Inmates
Blankets and mattresses are adequate for the inmates, should the facility open.

17. Furniture and Fixtures for Staff and Inmates
There are insufficient furniture and fixtures for the inmates. There is adequate furniture for the staff. Generally all furniture is procured from the 'excess property' of the tribal and federal governments.

18. Transportation Vehicles
Detention uses two GSA-leased Jeep vehicles. These vehicles are used two to three times a day ferrying inmates between the court and the health services.

19. Fuel for Vehicles
There are not sufficient funds to purchase fuel for the vehicles.

DRAFT

20. Utilities for Facility
The facility uses electricity and natural gas. There are sufficient funds to pay for the utilities 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
There is adequate lighting for the inmate and staff areas.

23. Ongoing Repairs and Maintenance
The flat tar roof leaks at various spots. Severe ponding, deterioration of the tar surfacing and failures at the edge and corners was noticed.

24. Deferred Repairs and Maintenance
Several deferred repairs and maintenance items have been repaired at the facility while it has been vacant. This includes an upgrade of the HVAC ductwork and a general cleanup and painting of the interior. However, the facility is still in need of new HVAC units, a new roof for the old section and a standby generator for emergency use.

25. Medical Response at the Facility
The facility uses services of the Indian Health Clinic, which is about a quarter-mile away. The local hospital also serves the needs of the facility and is located about five minutes away.

26. Booking Process at the Facility
The booking area is located at the end of a short corridor leading from the side entrance to the building. The booking area has been refurbished so there is a non-recording camera and a glass barrier between the officer and the inmate who is being booked. No booking software is available. The booking area is adjacent to the refurbished control room for the detention operations.

27. Food Service at the Facility
There is a small kitchen and a walk-in refrigerator and a walk-in freezer for the storage of food.

28. Kitchen and Dining Staff at the Facility
The detention staff serves as the kitchen and dining staff for the facility.

29. Housekeeping Staff at the Facility
The detention staff serves as the housekeeping staff for the facility.

30. Repairs and Maintenance Staff at the Facility
Shared services are provided by the repairs and maintenance staff who also serve the needs of repairs and maintenance at other facilities.

DRAFT

31. Inmate Services Provided at the Facility
There are no inmate services provided at the facility. Should the facility open, there is space to provide such services.

32. Healthcare Assistance in the Community
Healthcare assistance is provided by The Indian Health Services Clinic and the Toppenish Community Hospital.

33. Other Support Agencies in the Community
The Tribal Human Services Department provides social services that include Alcohol Recovery Services.

34. General Reasons for Detention
The general reason for apprehension and detention is the onset of drugs-related violent crime. Use of methamphetamine has taken on the proportions of an epidemic.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates have been known to harm themselves by using articles of clothing and any available protuberance such as the corner posts of bunk beds, vent grilles and door knobs that could support the partial weight of a body.

36. Accountability and Reporting of Incidents
Incidents are reported internally.

DRAFT

Section 3

Facility Review
April 1, 2006

1. Exterior Site Conditions
The exterior condition of the site is fairly poor. The facility is located in town and is accessible on the exterior by the general public. The facility is part of a law enforcement facility that also houses the Police Department. Detention uses two side doors that are available from the parking lot. One of the side doors is used as the main entrance for the detention facility and the other side door is used as a Sally port entrance to escort inmates into the detention facility.

2. Exterior Exercise/Recreation Area
The exterior exercise/recreation area is adjacent to the building and is enclosed on three sides by high permanent walls topped with barbed wire and razor wire. The general public has access to this area through the unsecured paved parking lot for the facility. This area is too close and too small to serve as a secured evacuation area in case of an emergency.

3. Exterior Perimeter Security
There are no fences and no cameras that monitor the exterior perimeter of the facility.

4. Sally Port Security
There is no Sally port. Inmates are transported up to the common parking lot and escorted through one of the two side doors into the building.

5. Building Interior Security
There is minimal interior security. There are several areas towards the far end of each dormitory where a detention officer could be trapped with no recourse during routine surveillance. A camera system was provided about five years ago but there are a number of blind spots that the cameras do not scan. At that time the facility was used to house juveniles and up to the time prior to its closure. As such very few interior areas were surveilled with cameras.

6. Building Structure
The facility was built in 1977 and is of block-wall construction. The structure is sound.

7. Building Roof
The building roof shows several areas that are ponding. The hot-mopped surfaces indicated several areas that have blistered and wrinkled. The edges

DRAFT

have been torn off from the parapets. The roof has leaked on several occasions at several spots.

8. Interior Ceilings
The interior ceilings in the office areas are standard lay-in ceilings while that in the detention areas are hard ceilings.

9. Interior Walls
Interior walls are all of painted block-wall construction and are in good repair.

10. Interior Flooring
All interior flooring is sealed concrete, slab-on-grade for the housing areas and carpeted in the office areas.

11. Interior Dormitory Cells
The dormitory cells have been refurbished recently. New showerheads and toilet-sink combination units were installed recently.

12. Interior Isolation Cells
There are no isolation cells at the facility.

13. Interior Detoxification Cells
There are three detoxification cells that are used by the male and female inmates as needed.

14. Booking and Intake Area
The booking and intake area was recently refurbished. However, this area is adjacent to the control room. The fingerprinting, breath-alcohol content analysis and the photographing area are across the hallway and at some distance from the booking and intake area.

15. Visitation Area
The visitation area was recently refurbished. There is a glass separation between the inmate and the visitor. Only one inmate at a time can use the visitation area.

16. Kitchen, Food Preparation and Pantry Area
The kitchen, food preparation and pantry area is adequate to serve the needs of about 45 inmates. There are a walk-in refrigerator and a walk-in freezer adjacent to the kitchen.

17. Dining Area
There is no specific dining area for the inmates. Inmates eat in the common area provided in front of each cell cluster.

18. Day Room Area
There is no specific day room that serves the inmates.

DRAFT

19. Vocational Training Area
There is no specific vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific area to provide first aid or medical assistance.

21. Toilets and Showers
Toilets and showers are appropriate and adequate for each of the dormitory and cluster cells for male and female inmates.

22. HVAC System
The duct work for the HVAC system was recently installed. All duct work is distributed inside the cell areas and is installed with screened ventilation grilles and registers.

23. Plumbing System
The entire plumbing system dates back to 1977. The system experiences intermittent problems of plugging-up or of insufficient flow. There are no screens at any of the cleanouts. Sanitation system failures experienced by the city also shuts down the sanitation system at the facility.

24. Lighting System
The lighting system is adequate for the facility.

25. Electrical Power System
Electricity is served through an 800 amp – 208Y/120 V, three-phase, four wire system. The electrical service is adequate for the facility. The facility experiences intermittent electrical surges from other users in the neighborhood. Minimal battery-backed lighting is provided. There is no back-up generator.

DRAFT

26. IT System
The IT system is adequate for the facility.

27. Security System
Security is insufficient at the present facility. The camera system is five years old and was designed and installed to serve a juvenile facility. There are several blind spots that are invisible to the present cameras.

28. Energy Usage and Conservation
The facility is well sealed and well insulated. All insulation above the hard ceilings is rated at R-19 are better.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is inappropriate at this facility. There are no secured areas to evacuate the inmates in case of an emergency. No planning has been considered for fire evacuation and there are no fire evacuation plans posted

to provide visual directions. In addition, individuals can get trapped on the far side of the long paths of egress at each of the dormitories.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system and fire extinguishers are located at appropriate intervals. There is no sprinkler system at the facility.

31. Building Access for Staff and Inmates
Staff for the detention facility accesses the building either through the main front entrance common to law enforcement and detention or through one of the two side doors accessible from the parking lot. Inmates are escorted through another side door directly into the booking and intake area.

32. Hazardous Materials
There is no asbestos or lead paint that is known to exist at this facility.

33. Handicap Access for Staff and Inmates
This facility does not have any provisions for inmates or staff who are handicapped.

34. Potentially Hazardous Elements
Inmates have been known to use articles of clothing to hang from protruding objects such as the corner posts of the bunk beds. There are no cells to facilitate a 'suicide watch'.

DRAFT

Section 1

Background Information
of the
Blackfeet Reservation
Served by the Blackfeet Police Department

Blackfeet Reservation[1]
Federal reservation
Blackfeet
Glacier and Pondera counties, Montana

Blackfeet Reservation
P.O. Box 850
Browning, MT 59417
406-338-7521
406-338-7522 Fax
Website: blackfeetnation.com

Total area (BIA realty, 2004) 1,009,719.81 acres
Tribally owned (BIA realty, 2004) 311,356.27 acres
Individually owned (BIA realty, 2004) 696,549.08 acres
Federal trust (BIA realty, 2004) 1,814.46 acres: approximately 50 miles wide and 75 miles north-south.

Population (2000 census) 10,000

Total labor force (2000 census) 4,066
High school graduate or higher (2000 census) 74.4%
Bachelor's degree or higher (2000 census) 13.5%
Unemployment rate (2000 census) 22.6%
Unemployment rate (BIA labor report, 2001) 70%
Per capita income (2000 census) $9,751

LOCATION AND LAND STATUS
The Blackfeet Reservation is located in northwestern Montana near the United States/Canada border. The reservation's present size represents a significant depletion of the original Blackfeet territory. In 1855, Blackfeet lands extended through much of northern Montana west of the Rockies. The first treaty to affect the Blackfeet was the 1851 Treaty of Fort Laramie in which, despite the absence of any Blackfeet negotiators,

[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.

DRAFT

the boundaries of the Blackfeet Nation were limited and set. In 1888, Congress ratified and confirmed the Sweetgrass Hills Treaty, which established the bulk of the reservation and also introduced the allotment system of individual land ownership. In an 1896 treaty, the Blackfeet ceded land, which was later to become Glacier National Park.

PHYSICAL DESCRIPTION

The Blackfeet Reservation is bordered by the Province of Alberta, Canada, on the north and Glacier National Park and Lewis and Clark National Forest on the west. It is bordered by Birch Creek on the south and Cut Bank Creek on the east. The general topography consists of rolling plains rising westward to the forests of the Continental Divide. The average elevation ranges from 4,000 to 5,000 feet; the highest elevation is 9,000 feet at Chief Mountain on the northwest boundary.

GOVERNMENT

Under the Indian Reorganization Act of 1934, the tribe adopted a new tribal council and bylaws. It is recognized as a "domestic sovereign" nation by the federal government. The reservation is governed by a popularly elected tribal business council, which consists of nine members elected to four-year, staggered terms. Five members will be up for reelection in 2006, and four will be up in 2008. The business council nominates executive officers (a chairman, vice-chairman, and secretary). The reservation is divided into four districts, each represented by two council members, except for the Browning District, which has three representatives.

The Blackfeet Nation operates a number of governmental entities that provide essential services to tribal members. Among them are the procurement department, cultural department, fish, wildlife parks, and tribal planning department. The tribe also employs a livestock inspector. The tribe operates its own facility management department. This program is responsible for the maintenance, care, and planning of all tribal facilities. The tribe's legal department represents the Blackfeet Nation in tribal, federal, and state matters as well as commercial and economic developments. It is responsible for drafting legal documents such as laws, rules, regulations, and ordinances.

The tribal documents and processing department is responsible for keeping minutes of the tribal council and some committee meetings. It also maintains records of tribal resolutions and election records. The department conducts research of documented tribal history since the 1930s. The Blackfeet enrollment department assists the Blackfeet Tribal Council in developing and maintaining membership rolls for the tribe. It provides enrollment assistance, provides certification to eligible individuals, and maintains vital records for all enrolled tribal members. It maintains genealogical records of enrolled members and non-enrolled descendants of enrolled tribal members. The department is also responsible for maintaining accurate information to be provided to tribal, state, and federal programs.

The Blackfeet Tribe operates its own finance department. It provides accounting services for all reservation-based federal, state, local, and tribal programs. It also processes vouchers, checks, reports, and financial statements for the aforementioned organizations, as well as for tribal members and funding agencies. The tribe's revenue department manages the tribe's income. It is responsible for assessing taxes, collecting

DRAFT

fees, and issuing permits and licenses. This department strives to assist the tribe in attaining self-sufficiency and economic freedom.

In addition to a personnel department, the tribe operates a tribal employment rights office. This office is responsible for ensuring that tribal members are provided with the opportunity to participate in the economic activity on the reservation. In addition to contracting with the federal Equal Employment Opportunity Commission, the tribe has passed its own Tribal Employment Rights Ordinance. The mission of the ordinance is to ensure that all business operations on the reservation afford Native people preference in all contracting, employment and training opportunities.

Having a reservation of considerable size, the tribe operates a tribal land department. The department works with the land committee, the business council, the BIA, Glacier County, Pondera County, tribal Indian housing authority, the local school district, Indian Health Service, farm service agency, and the state of Montana in reference to the Blackfeet Reservation land base. They provide assistance to the public in matters regarding home-site leases, farm leases, pasture leases, commercial leases, recreation leases and land-use permits, and rights-of-way permits. The office also deals with matters of land acquisition on the tribe's behalf, and permission for exploration and removal must be sought from the office when archeological sites are located on tribal lands.

DRAFT

INFRASTRUCTURE

The nearest interstate highway is I-15; a north-south route located about 60 miles east of Browning. U.S. highways 89 and 2 directly serve the reservation, both providing access to and from Glacier National Park. Browning is served by train lines (including Amtrak and Burlington Northern) and two trucking companies. Commercial air transportation is available in Kalispell (95 miles distance) and Great Falls (130 miles distance), while a small public airport is located about 25 miles from Browning.

The tribe has created a transportation-planning department to address the pertinent issues on the reservation. The department will develop a transportation improvement plan to identify transportation needs, prioritize funding, and initiate improvement of the road system.

Electricity - Glacier Cooperative provides electricity.

Fuel - Montana Power Company provides natural gas.

Wind Energy - The tribe is in the process of building a wind energy facility to be called Blackfeet I. This facility will generate between 36 and 66 megawatts of power.

Water Supply - The Blackfeet Utilities Commission operates five water and wastewater systems that service the Seville, Heart Butte, Star School, Glacier Homes, and Babb communities located throughout the reservation. Septic tanks are used in more remote regions. Browning has a municipal water system; wells are utilized in most other locations.

Solid Waste Facilities - The Blackfeet Tribe operates a solid waste system. It provides garbage collection services on the reservation and operates a landfill.

Transportation - Various tribal programs offer transportation services to members. Services are available for medical appointments, home-to-work transport, and elderly transport.

Telecommunications - Three River Telephone Company and Mountain Bell provide telephone service. The tribally owned and operated Starlink Cable Company offers cable television service to residents of Browning and East Glacier.

COMMUNITY FACILITIES AND SERVICES

The tribe operates a community swimming facility that includes an Olympic-sized swimming pool, a wading pool, saunas, locker rooms, a weight and exercise room, a whirlpool, a racquetball court, and indoor walking and jogging areas. The tribe also offers numerous social services, educational programs, and resources to tribal members of all ages. The tribe makes a concerted effort to provide assistance and tools to its members in an effort to improve the well being of individual members and the tribe as a whole.

The tribe offers a 24-hour emergency shelter for victims of floods and fires, the homeless, and travelers. The center, Medicine Bear Shelter, offers meals, GED courses, social services, referrals, resume writing assistance, employment counseling, elderly transport, home-to-work transport, counseling, and educational workshops. The Blackfeet Personal Care Program trains personal care attendants and assigns them to provide in-home assistance to handicapped and disabled clients eligible for Medicaid. There are 89 contracted attendants at this time.

DRAFT

The Blackfeet Nurturing Center provides shelter for abused, neglected, and abandoned children. The Blackfeet Youth Initiative provides elementary and high school students with summer camp activities designed to strengthen young people's abilities and understanding of community health and safety issues, writing, art, and sports. Students participate as co-counselors, helping to create the curriculum and courses. The program nurtures self-confidence, cultural pride, and community service.

Tribal elders may receive the services of the Eagle Shields Senior Center. This program provides meals, social events, and access to other tribal services. The center also hosts community health activities, income tax preparation assistance, information and referral services for elders, and daily social events. The tribe's personal care attendants, green thumb volunteers, and volunteers for the visually impaired are located within the center. Facilities at the center are also available for private functions.

The Blackfeet Tribal Manpower Department promotes employability of tribal members by providing education, training, and additional support services to Native American clients and Blackfeet tribal members with disabilities.

Education - Five K–12 schools are located in Browning. K–8 students also attend schools in East Glacier, Heart Butte, and Babb. The Blackfeet Tribe operates Blackfeet

Community College, which is located in Browning. It currently offers associate degrees in the arts and sciences. The tribe also has a higher education department on the reservation. This department provides members currently in postsecondary programs with academic and career counseling and financial assistance. It administers the higher education grant assistance program and the adult vocational training grant assistance program.

Health Care - The Blackfeet Community Health Representative Department provides a number of services to the community including assessment and evaluation, education and awareness programs, and follow-up care. The office also serves as a liaison between the tribe and Indian Health Service and provides language interpreters for tribal members. Transportation for medical appointments and limited in-home services are also available.

The tribe operates the Blackfeet Tribal EMS Program. It provides reservation residents with emergency care and transportation. The tribe also maintains a health clinic in Browning with seven doctors and three dentists, as well as a hospital run by the Indian Health Service and U.S. Public Health Service.

DRAFT

Section 2

Program Review
April 12, 2006

1. Funding of Operations
   The details on the funding of operations could not be determined.

2. Funding of Repairs and Maintenance of Facility Structure
   The details on the funding of repairs and maintenance of the facilities could not be determined. The facilities staff reported that they will be relieved of three of their repairs and maintenance staff in the next week (April 14, 2006) and will not be able to rehire them until the next fiscal year beginning October 1, 2006, for a lack of funds. The repairs and maintenance staff provides services to 15 government buildings and 46 government housing units.

3. Policies and Procedures
   The facility has the adult detention handbook in a three-ring binder, dated October 1, 1996. They also have the three, three-ring binders of the red book, and the BIA Corrections Division Inmate Handbook. Six sets of the new BIA 39-page inmate handbook is ready for distribution to the correction officers.

   It appears that the distribution of the policies and procedures is not followed up with the necessary training to assure that the detention officers understand and comply with the items contained in the handbooks. The relief detention officer for the on-duty detention officer, Bobby, reported that she had never seen these handbooks (despite their presence immediately in front of the detention officer's duty station). The veteran detention officer also does not know what to do with them.

4. Staffing
   There are a total of five full-time officers who serve the facility. Four of the officers are certified; the fifth officer has been recently hired and has been on the job for only two weeks. On the day of the visit, there was one detention officer on duty during her eight-hour shift. There were 24 inmates housed at the facility on that day.

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

DRAFT

6. Staff Training
The detention officer on duty reported that she had had no training since the year 2000 when she graduated from the Academy. At the time of this review, the lead detention officer was in training for District 5 at Polson. The officers have received training locally in CPR.

The recently hired detention officer who started her shift at 3:00 p.m. reported that she had had one week of one-on-one training with the lead detention officer, followed with another week on her own. She had been at the facility for two weeks at the time of this review.

When asked general questions about her feelings for her personal safety around the large number of inmates, she answered with all the 'correct answers' that are expected of a detention officer. To emphasize her skill and courage, she reported that she, "... had booked up to 10 inmates in a day alone," She also reported that she, "... can handle the guys on her own," because she had served as a juvenile detention officer for about one year. At the juvenile detention facility, she had to deal with juveniles who were "...fairly big."

However, after a few minutes of conversation, she felt more comfortable and said that she feels scared and hopes that in the event of an emergency somebody in Dispatch would be able to see her on the camera and assist. At the juvenile detention facility she always worked with another detention officer as a pair, who would cover for each other. "...This is not the case here, because of a lack of staff..." she stated, but she "...loves her job and the salary."

It is alarming to see the life and safety of a detention officer being jeopardized because of a lack of training. This individual did not know of any of the policies and procedures that were to be followed at this detention facility. She did not know where to locate them or what the policy and procedures manuals contained. She was assigned the tasks of a full-time detention officer, working alone, in an overcrowded facility with as little as one week of follow-me-around training by another detention officer. She is scared for her life, but is masking her real feelings for fear that she might lose her job.

7. Space for Inmates On-Site
The facility is severely overcrowded most of the time. Generally, the judges let the arrested individuals go free for lack of space at the detention facility. There is a total capacity of 55 beds located in eight cells for males and four cells for females. On the day of the site review there were 24 inmates that were housed at this facility. There were 182 inmates that were housed in this facility on New Year's Eve 2005.

8. Space for Inmates Off-Site
No inmates are sent off-site.

DRAFT

9. Staffing Capacity for the Inmates On-Site
There is a severe shortage of detention staff at the site. On the day of this review, there was only one detention officer serving 24 inmates. This officer also served as the cook for the day.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officer is often too busy to transport or escort any inmates. The detention staff generally requests the police officers to help them with the transportation needs of the facility.

11. Office Supplies for Staff
Office supplies such as paper and pens are in short supply at this time.

12. IT Equipment for Office Use
The IT equipment for office use is minimal. There is one computer for routine tasks. The facility does not have any computers or appropriate booking software for booking.

13. IT Equipment for Communications Use
There is no radio for the use of communications between the detention officers and dispatch. There are four panic button-clip-on transmitters that are available for the detention officers. However, only one panic transmitter was in use. The other three were not in operation for lack of funding to buy batteries.

14. Personal Supplies for Inmates
The inmates have sufficient personal supplies.

15. Uniforms for Staff and Inmates
The staff receives one uniform every year. There is a shortage of uniforms for the inmates.

16. Linen for Inmates
The inmates are provided with sufficient blankets. They are generally issued two to three blankets each. The older inmates complain of cold and generally use up to three blankets.

17. Furniture and Fixtures for Staff and Inmates
The staff needs filing cabinets. The inmates lack institutional furniture for dining. They use foldout tables in the day room, which proved hazardous to the correctional officer during a recent fight between inmates, when this furniture was used as projectiles.

18. Transportation Vehicles
There is one van for transportation of up to 10 inmates. The van is in good working condition.

DRAFT

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding to provide for the utilities at the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
The facility runs out of hot water at least once every 120 days. The hot-water tank has a continuous leak that cannot be repaired – as reported by the maintenance supervisor. A PVC pipe has been rigged to carry the leaking water from under the hot-water tank to a cleanout drain in the mechanical room.

22. Adequate Lighting for Inmate and Staff Areas
There is sufficient lighting in the inmate and staff areas. Inmates complained of excessive light at night.

23. Ongoing Repairs and Maintenance
The floors have been recently patched.

24. Deferred Repairs and Maintenance
The following repairs and maintenance items are pending:

1. Replace all vinyl floors in the building. The vinyl floors are buckling.
2. Reseal and paint all concrete floors in the cells and corridors.
3. Remove the sink-lavatory from the detoxification cell.
4. Replace all light fixtures with energy-efficient lamps.
5. Provide ADA compliance at the facility. This includes repairing the outside ramp for sufficient turning radius at the corner, and providing handicap access for staff, inmates and visitors at the facility. Presently, a handicapped inmate is housed at this facility and uses a wheelchair.
6. Provide a bulletproof screen at the window (facing into the dispatch) from the public entrance.
7. Provide a visitation area. There is none at this time.
8. Repair the roof of the generator trailer housing.
9. Repair the original electrical system that has been added to many times since the original installation of 1969. There are no records of the circuits as additional electrical panelboards and circuits have been added over the last 37 years. Circuits cannot be identified, and maybe overloaded with additional new demands at the site.

DRAFT

10. Replace the 750-gallon hot water tank that leaks constantly. This hot water tank provides both for the domestic hot water and the hot water for the heat exchanger that is used for heating the building.

11. Remove and replace three door jambs and thresholds of exterior doors that have been damaged by the wind slamming the open doors. The doors cannot be secured in the present time.

12. Repair the roof drains all around the building. These roof drains are made up of block-wall material that has deteriorated and crumbled because of severe cold weather at the site.

13. Repair the nose-plate for all the front steps, which has been deteriorated as a result of severe cold weather at the site.

14. Repair the recently renovated controls for the HVAC units. Add additional ventilation and exhaust for the extreme unventilated and humid conditions in the cell areas.

15. Relocate the intake air-supply of the HVAC equipment on the roof, such that the exhaust from the generator trailer is not directed back into the building supply air.

16. Install additional razor wire and cameras at the recreation yard so the yard can be used again.

17. Repair and relocate the exhaust vent for the dryer. The back pressure of the lint that cannot escape plugs of the vents and overheats the dryer.

25. Medical Response at the Facility
The detention officer calls the dispatch, who then summons an EMT from the Indian Health Service, which is located approximately five minutes away. The facility has a separate medicine cabinet, and a few over-the-counter drugs, such as ibuprofen. There are face masks that are provided for the officers' use. There is a first-aid kit at the detention officer's desk.

26. Booking Process at the Facility
The booking area is very poorly organized and unsafe for the officers. There is minimal space for the physical movement of the inmate or the officer. Booking is conducted on a normal office desk with two chairs. There is no separation between the inmate and the officer. The space also houses lockers with sharp edges that are used for the storage of the personal property of the inmates. There is no computer or booking software to cross-check the past record of the inmate. The officer is vulnerable to a direct physical attack from an inmate with very little room for intervening assistance from another officer, if one is available. All the booking records are kept manually.

DRAFT

27. Food Service at the Facility
The kitchen and pantry are very small and cramped, though well-equipped. All knives are kept in a locked glass cabinet in the pantry, which however, is open to the kitchen through an unsecured door. Kitchen utensils that could be used as weapons were found in an unlocked drawer in the kitchen, including a chopper.

28. Kitchen and Dining Staff at the Facility
A cook serves five days a week. The detention officer serves as a cook for the remaining two days.

29. Housekeeping Staff at the Facility
Trustee inmates provide the housekeeping facility.

30. Repairs and Maintenance Staff at the Facility
Repairs and maintenance are minimal at this facility. A shared team of five individuals, including a supervisor, provides for the repair and maintenance of 15 buildings and 46 government housing units in the area. Two of the individuals in this team were to be laid off as of April 14, 2006 for lack of funding. They are expected to return to work on October 1, 2006 with the beginning of the new fiscal year. These individuals provide for fairly light duty repairs or maintenance.

31. Inmate Services Provided at the Facility
No inmate services are provided at this facility.

32. Healthcare Assistance in the Community
Mental health assessment and other routine medical services are provided in the Indian Health Service, which is located approximately five minutes away.

33. Other Support Agencies in the Community
Behavior health treatment is provided as a service in the community.

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 7100, 7063 and 413,725 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
The inmates can potentially use articles of clothing, blankets and strips of mattresses to commit suicide by hanging from the grates on the cell doors.

36. Accountability and Reporting of Incidents
All incidents are recorded and faxed to Ms. Deidre Wilson. They are also logged into the site computer.

DRAFT

Section 3

Facility Review
April 12, 2006

This building shares the functions of the courts, police, dispatch and the detention center. The detention center uses approximately 60% of the overall area in the building. The building was built in 1969 and was operated by the Blackfeet tribe. It was taken over by the BIA on February 15, 2003. The building has been renovated recently. The following observations were made:

1. Exterior Site Conditions
   The exterior site conditions are generally acceptable. There is sufficient uncluttered space around the building, with a paved parking lot at the front entrance. The building is accessible to the general public through the front entrance, and there are three secured doors on the perimeter of the building.

   There are exterior cameras, which have been installed recently, to monitor the exterior perimeter of the building. However, there are blind spots that the camera cannot see at each of the exterior doors because of buildings' winged-wall style of construction at each exterior door.

2. Exterior Exercise/Recreation Area
   There is a large exercise and recreation yard, along the east perimeter of the facility. This yard is secured with the chain-link fence, topped with three strands of barbed wire and one roll of razor wire. However, the use of the yard was discontinued after the last escape in September 2005. Nylon covered ropes were strung across four locations in the yard. These were used to hang-dry the laundry in the past. The gate in the chain-link fence was found unlocked at the time of the visit.

3. Exterior Perimeter Security
   Perimeter security around the exterior is fairly poor. The security code on the exterior perimeter doors does not work well. The exterior permit or cameras have blind spots. The general public has access all around the perimeter.

4. Sally Port Security
   There is no Sally port that serves this building. Officers escort the inmates through the North perimeter door.

5. Building Interior Security
   The interior security of the building is very poor. There are no cameras, other than in the detention center area. Inmates are led from the detention center into the court through a set of double doors. The long line of inmates

DRAFT

is generally followed by one detention officer on the back of the long line of unshackled inmates. Fourteen inmates were observed to be escorted in this manner into court on the day of this review. One of the inmates was in a wheelchair. The detention officer later recalled that they have escorted up to 40 inmates with only one detention officer and none of the inmates shackled. Inmates at the front of the line can easily escape through the main public entrance while the detention officer is escorting the back of the line. There was no supervision at the control station of the detention center, while the one and only detention officer escorted the inmates to court.

The makeshift control station for the detention officer is located in what was a storage room at the time of separating the dispatch and detention functions. The monitors for the cameras monitoring the entire detention center and the perimeter of the building are located above and behind the detention officer out of the peripheral vision of the detention officer and away from her direct line of sight. The computer monitor and the keyboard that is used to log the daily logs are placed on a desk facing in the opposite direction of the monitors. The detention officer is too busy making the necessary entries in her log and with her other day-to-day routine tasks that she did not turn around for extended periods of time to observe the camera monitors behind her. Over a four-hour observation in this room, on the day of the review, she may have glanced at the camera monitors for about five to ten minutes.

The general public has easy access through the front entrance up to the reception window that has a plexiglass barrier. The dispatch officers who serve as receptionists behind this window are unsafe and vulnerable to a direct attack.

DRAFT

6. Building Structure
The building is a block-wall structure with a concrete slab on grade.

7. Building Roof
The building has a flat roof. There have been no leaks since the BIA took over this building in 2003.

8. Interior Ceilings
Generally, the office spaces and corridors have a drop-in ceiling, while the inmate areas have hard ceilings. There is a need for repairs of the acoustical tile in the drop-in ceiling.

9. Interior Walls
Generally the interior walls are block-wall.

10. Interior Flooring
The interior flooring consists of vinyl tile flooring on concrete slab in the office and common areas and painted concrete in the inmate areas.

11. Interior Dormitory Cells
The interior dormitory cells are in very poor condition. There is insufficient hot water at the sinks, and the combination sink-lavatory units do not drain well.

12. Interior Isolation Cells
The interior isolation cells are in very poor condition.

13. Interior Detoxification Cells
There is only one detoxification cell at the facility, which is in poor condition. The sink-lavatory in the detoxification cell needs to be removed.

14. Booking and Intake Area
The booking and intake area of is small and unsafe for the officers and the inmates. Occasionally, inmates pull down the freestanding lockers along the walls of the booking area.

15. Visitation Area
There is no visitation area specifically designed for visitation by family, attorneys or service-related individuals. Everyone uses the one large space referred as the day room. This room does not have any institutional furniture and uses foldout tables that are used for dining and visiting. It is fairly easy to pass contraband material during the visitation.

16. Kitchen, Food Preparation and Pantry Area
The tribe upgraded the kitchen in 2002. However, the kitchen, pantry and the walk-in refrigerators are fairly small for use at this facility.

17. Dining Area
The inmates are fed in the day room that was mentioned in item 15 above. This room does not have any institutional furniture and uses foldout tables that are used for dining. A television set is located in one corner.

18. Day Room Area
The day room, dining and visitation area shares the same common space and is noted in items 15 and 17 above.

19. Vocational Training Area
There is no vocational training area for the inmates. There is no area for the counseling of the inmates.

20. First Aid and Medical Assistance Area
There is no specific area to offer medical assistance. There are two to three alcoholic seizures that happen on an average day. A first-aid kit is provided in the detention officer's desk.

DRAFT

21. Toilets and Showers
The toilets and showers are in disrepair. Recently, an inmate had an alcoholic seizure in the shower stall and injured himself by hitting his head on the corner of the shower wall.

22. HVAC System
The HVAC controls were recently upgraded to a DDC control system. However, they do not operate well so as to provide appropriate temperature and ventilation demands. There is insufficient HVAC capacity to exhaust the volume of air in the overcrowded facility. As such, doors that need to be closed and secured are constantly kept open for ventilation. The 750-gallon hot-water tank has a constant leak that cannot be repaired. This hot-water tank provides hot water to the heat exchanger that serves the heating for the building. During the last winter season, the building was evacuated for fear of the boiler exploding under pressure. At another time the boiler was shut down for repairs which brought the interior facility temperature to 41°F while the inmates occupied the building.

23. Plumbing System
The sewer drains have accumulated debris over the years and suffer from neglect of maintenance over many years. As such, they drain very slowly and often plug up.

24. Lighting System
The lighting system for the facility is generally acceptable. There were several fixtures that were observed to not have any lenses.

25. Electrical Power System
The size of the electrical capacity could not be determined. The electrical system has been added on over a number of years. There are no records of the location or destination of circuits, emanating from various panel boards. A 40 KW standby generator with a power factor of 0.4 rated at 100 kVA serves the facility.

26. IT System
The ID system is old and inadequate. The equipment does not have any booking software used in detention facilities.

27. Security System
A camera system was recently installed. However, there are no cameras in areas other than the detention facility, though they are used by the inmates such as the common corridors leading to the court and the court. There are blind spots where the cameras cannot see. The resolution of the camera monitors is poor. Camera monitors are located in awkward places so that they cannot be monitored by the detention officer.

DRAFT

28. Energy Usage and Conservation
The constant leak of water from the hot water tank wastes energy. The exterior doors and the door jambs and the thresholds have been damaged and cannot be closed completely causing a cold draft to penetrate the building. The dysfunctional HVAC system forces the occupants keep the doors open for ventilation. While the facility's department is aware of a need for energy conservation, they do not have the funding to put such conservation practices in place.

29. Fire Egress – Exterior and/or Secured Areas
The building does not have proper fire egress. A fire in the building could be disastrous. It takes excessively long to evacuate the inmates as each of the mechanical locks is unlocked individually by the one detention officer on duty, and each of the inmates escorted to the outside. There is no secure space to evacuate all of the inmates once outside the building.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system with smoke detectors and a fire alarm control panel that is connected to a fire department four blocks away. There is a sprinkler system that was added to the building at a later date. Because of the block-wall construction of the building, the sprinkler pipes and sprinkler heads were surface- mounted in nonsecured areas and were provided with flush sprinkler heads and wall-mounted in secured areas. The coverage of the sprinkler heads on the walls will not reach the complete occupied inmate space that is expected to be protected by the sprinkler.

There are few fire extinguishers in the building. It could not be determined when the fire alarm, sprinklers and fire extinguishers are tested.

31. Building Access for Staff and Inmates
The staff uses the front entrance. The inmates are brought to the backdoor. There is no Sally port.

32. Hazardous Materials
There is asbestos in the piping insulation in the mechanical room. Maxim Technology tested it to be positive. Abatement was planned but has not been implemented. The documentation is at the Billings office.

33. Handicap Access for Staff and Inmates
The outside ramp for handicap access has a sufficient turning radius at the corner. There are no other provisions for handicapped staff, visitors or inmates at the facility. Presently, a handicapped inmate is housed at this facility and uses a wheelchair.

34. Potentially Hazardous Elements
Inmates may use their articles of clothing or strips from the vinyl covering of a mattress to commit suicide.

DRAFT

Section 1

Background Information
of the
Crow Indian Reservation
Served by the Crow Law Enforcement Center

Crow Indian Reservation[1]
Federal reservation
Apsalooke (Crow)
Big Horn, Yellowstone, and Carbon counties, Montana

Crow Nation
Bacheeiche Avenue
Box 159
Crow Agency, MT 59022
406-638-3841
406-638-3890 Fax
Website: crownations.net

Total area (BIA realty, 2004) 2,536,117.84 acres
Tribally owned (BIA realty, 2004) 554,559.02 acres
Individually owned (BIA realty, 2004) 980,358.23 acres
Federal trust (BIA realty, 2004) 1,400.59 acres

Population (2000 census) 6,894

Total labor force (2000 census) 2,786
Total labor force (BIA labor report, 2001) 4,606
High school graduate or higher (2000 census) 77.2%
Bachelor's degree or higher (2000 census) 13.8%
Unemployment rate (2000 census) 17.1%
Unemployment rate (BIA labor report, 2001) 60%
Per capita income (2000 census) $9,440

LOCATION AND LAND STATUS
The Crow Reservation is located in south-central Montana. It lies within Big Horn, Carbon, Treasure, and Yellowstone counties in Montana and Big Horn and Sheridan

[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.

DRAFT

counties in Wyoming. The reservation is bordered on the east by the Northern Cheyenne Reservation. It is approximately 60 miles wide and 40 miles long.

After treaties were signed in 1825 and 1851 with the U.S. government, a final treaty in 1880 reduced the reservation to its current size. Allotments were issued to tribal members after the 1887 Allotment Act and from 1922 until 1962 allotment holders of the reservation sold land mostly along the three rivers that run through it. The tribe has mineral rights to 1.1 million acres near Billings and Hardin, Montana, and near Sheridan, Wyoming.

PHYSICAL DESCRIPTION

The Crow Reservation contains wooded valleys, piney bluffs and grassy plains. The Big Horn Canyon lies within reservation boundaries, as does the Yellowtail Dam. The three principal mountain ranges on the reservation are the Wolf Mountains in the east and the Big Horn Mountains and Pryor Mountains in the south. The reservation lies primarily in the plains where the altitude varies from 3,000 to 4,500 feet. The alluvial bottomlands lie along the Big Horn River, Little Big Horn River, and Pryor Creek drainage systems.

CLIMATE

The reservation experiences mild weather. The mean annual temperature is 45.5°F, with summer highs of 110°F and winter lows of -48°F. Snow seldom accumulates and precipitation varies from 12 to 18 inches per year.

GOVERNMENT

The Crow Tribe did not choose to reorganize under the 1934 Indian Reorganization Act, but adopted its own constitution in 1948. A new constitution and bylaws, adopted in 2001, provides for a more stable government system as well as giving tribal members access to due process and equal rights. This improved government consists of three branches: the executive, the legislative, and the judicial. This structure balances the branches and allows for an independent tribal court. The new terms of office, except in the judicial branch, are four years long, which will enhance the stability even further. Executive branch officials include a chairman, vice-chairman, secretary, and vice-secretary. Executive branch officials include a chairman, vice-chairman, secretary, and vice-secretary.

DRAFT

The tribe operates a number of departments and programs to serve the needs of reservation residents and tribal members. Among them are the cultural committee, legal office, natural resources, grants and contracts, education, Head Start, health, transportation, credit, social services, economic development, Tribal Employment Rights Office, finance, home renovation, Work Investment Act Abandon Land Mines, and fish and game. The tribe also houses representatives of the BIA, EPA, FSA, NRCS, and TERO. The Crow Housing Authority manages housing in the district communities and outlying rural areas through HUD low rent and mutual help programs.

The Crow Tribe also manages a number of programs and services through BIA and Indian Health Service under PL 93-638 contracts. BIA contracts include: higher education and scholarship, Indian Child Welfare, home improvement, job placement

and training, and judicial services. Indian Health Service contracts include: substance abuse, hospital security, lawn maintenance, and water and sewer systems.

In 2003 when the Crow Nation began managing a tribal appraisal program under a PL 93-638 contract that had never been done by a tribe. These appraisal services are offered to tribal members by a tribal member.

INFRASTRUCTURE
A major highway connects Lodge Grass and Crow Agency with Billings, Montana. Secondary roads connect other communities in the sparsely populated area. The Burlington Northern Railroad runs parallel to the Little Bighorn Valley in its route between Billings and Montana.

COMMUNITY FACILITIES AND SERVICES
Awe Kualawaache Care Center, located in Crow Agency, provides inpatient elder care services for Natives who require 24-hour medical attention.

Education - Tribal youth attend eight elementary schools and three high schools located throughout the reservation. With the benefit of coal-mining revenues, the schools at Hardin and Lodge Grass are two of the wealthiest in the state.

The closest nonreservation towns of Billings and Hardin boast public elementary and secondary schools as well as Montana State University, Rocky Mountain College, MSU College of Technology, two technology colleges, and two schools of cosmetology.

The tribally owned and administered Little Bighorn Community College is located in Crow Agency. It is a 1994 Land Grand Institution. It offers associate's degrees in nine academic areas. The college offers courses directed to the economic and employment opportunities in the area. Approximately 90 percent of the student body is members of the Crow Tribe. The college conducts student services and business functions in the Crow language. It is home to an extensive library and the Crow Archives. The college facilities include Internet access, computer labs, science labs, a building-trades lab, and a daycare.

Health Care - The tribe maintains the Crow/Northern Cheyenne Hospital in Crow Agency, the Lodge Grass Health Center in Lodge Grass, and the Pryor Health Station in Pryor. Additional medical facilities are located in Billings, approximately 65 miles from the reservation's central town of Crow Agency.

DRAFT

Section 2

Program Review
April 15, 2006

1. Funding of Operations
   The BIA's 93PL- 638 program, along with tribal contribution provides for the funding of operations at this facility.

2. Funding of Repairs and Maintenance of Facility Structure
   The actual distribution of funds for repairs and maintenance of the facility is undetermined. However, the repairs and maintenance costs are derived from other indirect costs from the common pool of resources contributed by the BIA 638 program and tribal contribution.

3. Policies and Procedures
   The policies and procedures manuals could not be located. The policies and procedures are being worked on and need to be updated. "They are not quite in place..." as reported by the detention officer.

4. Staffing
   There are a total of six detention officers, three of whom are males and three females. All officers are Academy-trained and work on a full-time basis. The detention officer noted that very often only one officer is on duty, even at night. Should there be a need for transportation or another emergency, the detention officer locks down the inmates while he transports the inmate to the court. Often, the detention officer transfers these duties to the bailiff, who then escorts the inmate back and forth to the court.

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

6. Staff Training
   The detention officer noted that the last basic correction officers' training was conducted in 2002, approximately four years ago. The staff requested in-house training, such as, 'Defensive Tactics'. Often the officers are reluctant to even apply for additional training, because of a lack of additional staff to support the operations while they are gone. Other training such as the CPR and First Aid is conducted every two years. The officers are waiting for training such as, 'Transportation Officers', so they can transport their inmates to Wind River, Cortez, Browning and Fort Hall, Idaho.

DRAFT

7. Space for Inmates On-Site
There is a severe shortage of space for the inmates at this facility. The facility has a capacity of 22 beds, not counting the five additional beds in the female and seven additional beds in the male detoxification cells. There were 30 inmates who were housed on the day of our review. Inmates are housed not only on the floor in the cells, but on the floors in the corridors as well. Beginning on January 1, 2006 to April 15, 2006, there have been 691 bookings in 105 days or an average of seven new bookings per day. For the same period in 2005 beginning on January 1, 2005 to April 15, 2005, there was a total booking of 604 inmates, indicating an increase of 14.4% over the past year.

The booking logs for one week from August 19, 2004 to August 26, 2004 were reviewed. It indicated a total of 380 bookings for the week or 54 per day as an average booking each day.

Inmates are often transported to whatever other facilities will accept them such as Wind River or Fort Hall, Idaho. Very often the remaining

inmates are set free. At this capacity, even though overcrowded on April 15, 2006, we noticed that 400 inmates had been set free from January 1, 2006 to April 15, 2006.

8. Space for Inmates Off-Site
This facility transfers its inmates to other BIA facilities at Wind River, Fort Hall, Idaho or transports them to Cortez, Colorado. When these facilities refuse, the additional inmates are transported to the Hardin County Jail at $40 per day per inmate. There still remains a shortage of space for all the inmates that are booked, hence they are set free.

9. Staffing Capacity for the Inmates On-Site
On the day of the review there was one detention officer responsible for 30 inmates at the facility. The cook and an additional police officer were assisting with daily tasks. There are a total of six full-time staff members for up to over 100 inmates at a time at the facility.

10. Capacity for Transportation and Escort for Inmates
The correctional officers provide the transportation of inmates. However, an additional escort police officer is added if transporting over state boundaries, creating more shortage. Such is the case when transporting inmates to the Wind River facility in Wyoming or the Fort Hall facility in Idaho.

11. Office Supplies for Staff
There are sufficient office supplies for the use of staff.

12. IT Equipment for Office Use
All operations are generally conducted manually in paper logs and manuals. There is no booking software, and there is no scanner for fingerprinting.

DRAFT

Two computers that are 10 years old are in use, but are inadequate for the needs at the facility. There is no ready-access to the past criminal history of inmates that are being booked.

13. IT Equipment for Communications Use
There are two portable radios at the facility, neither of them is functional. The facility cannot communicate with Dispatch, which is approximately 1.5 miles away.

14. Personal Supplies for Inmates
The facility has sufficient personal supplies and hygiene kits for the inmates.

15. Uniforms for Staff and Inmates
The staff has been purchasing their uniforms from the Army-Navy surplus store using their personal funds. They purchase their own pants, shirts and duty-belts. There are no puncture-proof vests for the officers. The uniforms for the inmates are worn out and tattered. A combination of colors are used by the inmates for their uniforms, such as green (old) and orange (new) for lack of appropriate funds to purchase the proper colored uniforms.

16. Linen for Inmates
There are sufficient blankets for the use of inmates.

17. Furniture and Fixtures for Staff and Inmates
There is no institutional furniture for the inmates. Inmates use plastic chairs and eight ordinary tables in the dining room. The furniture and fixtures for the staff are serviceable, though old.

18. Transportation Vehicles
The facility uses an old Chevy Express van for transportation, which is unsafe for the officers. The seats in the van are held to the van-floor with, 'seat-hold-pins' that are 10 inches in length, pointed on one end, and bent at an angle of 90 degrees. These can be removed by an inmate from under the seat and used as a weapon against the officer.

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding for the utilities at the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is a lack of water pressure at the sinks in the inmates' cells. As such they cannot use the sink for drinking water. There is sufficient hot water; however, the temperature is hot enough to scald. At other sections of the building, the water remains very cold. There is sufficient hot water at the laundry and kitchen. There is sufficient capacity at the hot-water tank.

DRAFT

22. Adequate Lighting for Inmate and Staff Areas
There is not enough lighting in the cells or at the offices. Fluorescent lamps have been burnt out and not replaced for an extended duration.

23. Ongoing Repairs and Maintenance
There is a general delay of two to four weeks for response from the facilities for repairs or maintenance. For instance, the disposal/dishwasher at the kitchen has been in disrepair for an extended period of time. Though appropriate requests have been submitted, there has been no response to date from the repairs staff. The drains smell foul because of constant clogging of the sewer lines. The facility requests and requires repairs and maintenance at least once every month for clogged sewer drains.

24. Deferred Repairs and Maintenance
A professional repair service determined that the sewer lines under the building slab are broken and are propped at an angle at the point of the break. This prevents an even flow. Generally, the sewer line backs up into the janitor's sink located in the lobby area of the front entrance. This was reported to the repairs and maintenance staff at the facility. They were unable to respond, for the repairs would necessitate breaking up the concrete slab. The sewer lines cannot be cleaned past the break for the cleaning tools cannot penetrate past through the bend.

25. Medical Response at the Facility
The corrections officer transports the inmates to the local clinic in the van noted in item 18 above. There is a rudimentary first-aid kit. There is no defibrillator and there are no CPR masks at the facility. The corrections officers are to dispense medications to the inmates. There are no periodic visits by any health care provider to provide routine checks for tuberculosis, hepatitis, HIV or AIDS.

26. Booking Process at the Facility
The booking process at the facility is not adequate. A countertop of the corrections officers' control room is used as a booking area. Both the inmate and the corrections officer stand in the hallway while the inmate is being booked. The inmate is then escorted to the two-man cell to change clothes. Each booking function is scattered at different locations. The facility does not have an appropriate place to conduct a drug search. A pat-down search is conducted at the time of booking. Drugs and other materials can easily be brought into the facility.

27. Food Service at the Facility
The food services are provided in what was at one time a common cafeteria for other public buildings in the vicinity. The kitchen is sufficient to cook for all inmates. However, at this time the disposal/dishwasher does not

DRAFT

work. The kitchen also works as an extension of the laundry that is nearby, to store the clean and folded inmate uniforms on storage racks.

A spatula and a variety of spoons were found in an unlocked drawer in the kitchen. However, knives were stored in a locked cabinet, which in itself was stored in a locked pantry.

28. Kitchen and Dining Staff at the Facility
One full-time cook serves five days a week. The detention officer on duty prepares the meals for the remaining two days.

29. Housekeeping Staff at the Facility
There are two trustee inmates who clean the facility, including the dining area and the toilets. They also clean the offices and the visitation area.

30. Repairs and Maintenance Staff at the Facility
There is no specific staff for repairs and maintenance at the facility. This function is shared by a staff that serves other BIA buildings as well. There are no routine checks for repairs or maintenance. The response time for repairs and maintenance is very poor.

31. Inmate Services Provided at the Facility
There are no specific inmate services provided at the facility. A healthcare nurse is scheduled to come routinely to the site, but the officer reported that he has seen her once in the last three months. There is no routine dental health care provided to the inmates. There are no routine checks for tuberculosis, hepatitis, HIV or AIDS. The corrections staff dispenses and adjusts medications without the supervision of any healthcare provider.

32. Healthcare Assistance in the Community
There is an Indian Health Service clinic in the community. They provide evaluations for mental health, and simple services that include maternity care and response to emergency needs. For all other services, inmates have to be transported to a hospital in Billings, located 65 miles away.

33. Other Support Agencies in the Community
There is a college with a GED program serving the community. The court lets out the inmates for educational programs.

34. General Reasons for Detention
The general reason for apprehension and detention is the onset of drugs-related violent crime. Methamphetamine use has taken over extensively. The crime rate for this community is 517, 2442 and 87,143 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

DRAFT

35. Potentially Harmful Conditions and Behavior of Inmates
The inmates are carefully watched for potential suicide attempts. Since they normally use the personal clothing they are changed to 'suicide smocks' once they have been identified with suicidal tendencies.

36. Accountability and Reporting of Incidents
All incidents are input in the daily log and a copy is faxed to Ms. Deidre Wilson in Billings. Also, the lead Detention Officer writes down the appropriate reports, which are then sent to Ms. Deidre Wilson in Billings.

DRAFT

Section 3

Facility Review
April 15, 2006

This facility was built in 1971 to serve as a Detoxification and Rehabilitation Center.

1. Exterior Site Conditions
   The exterior site conditions for this building are extremely poor. There are no barriers, and there are open doors and public access up to the detention officers' control room window.

2. Exterior Exercise/Recreation Area
   There is no exercise/recreation area at this facility. Inmates are allowed to work in a vegetable garden that is accessible through unlocked fence gates.

3. Exterior Perimeter Security
   There is no security around the perimeter of the building. Public can access the building at the main parking lot or through the side entrances available for the public or through the unlocked gate at the chain-link fence. While there are cameras to monitor the exterior perimeter, the camera monitors located in the building at the detention officers' desk do not operate.

4. Sally Port Security
   There is no Sally port at this facility. Inmates are escorted in from the main parking lot through the side entrance and up to the counter in the hallway that is shared with the detention officers control room.

5. Building Interior Security
   Only one camera works that can be monitored at the detention officers' control room. Manual locks are used elsewhere. However, even this security can be compromised as was observed on the day of the review. The door to the inmate personal property room, though locked, could be forced open.

   While cameras are located throughout the interior space, none of them operate well. The one camera that can be monitored at the control room is monitoring the outside perimeter half of the building. The entire camera system was damaged two years ago by a lightning storm. The facility has put in a work order for repairs and maintenance but to no response. Inmates are aware of such lax security. The detention officers maintain a sense of security by staying friendly with the inmates and using psychology and developing trust to serve as a deterrent. The local Crow language is used extensively to communicate with the inmates and visitors and to maintain internal operations.

DRAFT

6. Building Structure
The detention side of the building is a block-wall structure with a concrete slab on grade. The kitchen and dining area, which was a building built at a separate time and for different purpose, is a wood framed structure.

7. Building Roof
The detention side of the building has a flat tar roof that is cracked. It leaks during the rainy season. The kitchen and dining side of the building has a pitched roof with a shingled ceiling. The kitchen roof appears to be in better shape and devoid of any complaints at this time.

8. Interior Ceilings
The offices have a drop-in suspended ceiling with areas of glue-on tile in non-inmate areas. The inmate areas have hard ceilings.

9. Interior Walls
The inmate area walls are block-wall construction. The office areas are generally dry wall construction and block-wall. The kitchen walls have a vinyl washable covering.

10. Interior Flooring
The inmate areas are painted concrete slab, and in very poor shape. The offices and corridors have a vinyl tile floor. Sheet vinyl is used for flooring in the kitchen.

11. Interior Dormitory Cells
The cells are severely overcrowded. There is only one sink-lavatory combination unit in a single cell housing 14 males. At the present time, there is one operating shower for 20 males and one operating shower for 10 females. A large number of inmates use the floor. There is one cell with two bunks. This is used by the trustee inmates.
The detention officer reported that a makeshift detention area is created to contain the inmates on the main parking lot outside the facility. This containment is made up of a tent and minimal fencing around.

12. Interior Isolation Cells.
There is only one segregation cell. It has no bunks and no toilets.

13. Interior Detoxification Cells
The detoxification cells are used for regular housing for both male and female inmates. At the present time, the detoxification cell for the female is housing six females and the detoxification cell for the male is housing eight males. It is assumed that these individuals are compatible.

DRAFT

14. Booking and Intake Area
Booking is conducted on the countertop in the hallway. This is unsafe for officers. There is no camera that monitors the booking of inmates, who could be out of control and need restraint. The DUIs are booked at the front entrance without a camera monitoring them. There are no records made by any camera that may be used later by the courts. There is no place to restrain an inmate. There is no software that may be used to check the prior history of an inmate.

15. Visitation Area
The visitation area is a room across the detention officers' control room. The inmates and their visitors are seated across each other sharing the floor with no barriers. There are no cameras in the room. While there is a window through which the detention officer may monitor the activity of the visitation, the officer cannot see what may be passed between the inmate and the visitor below the line of sight of the window threshold.

16. Kitchen, Food Preparation, and Pantry Area
There is sufficient space and equipment for the operation of the kitchen, food preparation area and the pantry areas. It appears that the kitchen and dining area were designed as a separate standalone cafeteria that once served more than one public building at this site.

17. Dining Area
The dining area has sufficient space and is well lit. This area is also used as a day room with a television set mounted on a trolley. Blankets are used to shut out the bright light through the numerous plexiglass windows that wrap around the three sides of the dining space.

18. Day Room Area
The dining area is used as a day room.

19. Vocational Training Area
There is no vocational training area at this facility.

20. First Aid and Medical Assistance Area
The first-aid kit and the medicine cabinet are kept in a closet that is accessible through the detention officers control room. There is no specific area to dispense medication or first aid.

21. Toilets and Showers
There are insufficient toilets and showers for the number of inmates that occupy this facility. All sinks drain into the toilet. There is no hot water at any of the sinks.

22. HVAC System
The building space is either too hot or too cold. The HVAC controls cannot respond to the demands for a given temperature within a building. Manual

DRAFT

controls were removed when the new Honeywell system was installed. However, this new system is not controlling the space temperatures as it should. It was determined that the capacity for the HVAC units and the boilers is sufficient for the space that they serve.

23. Plumbing System
The broken sewer drain below the concrete slab is causing a backup of sewage. The sewage backs up in the janitor's closet located at the entrance lobby. Sewage smell is noticed and several drains are clogged collectively.

24. Lighting System
The lighting is fairly poor. Burnt-out fluorescent lamps have not been changed in a long time. The ballasts within the fluorescent fixtures are causing the lamps to flicker in and out.

25. Electrical Power System
Electrical power is served by a 1200 amp, 208 Y/120 V, three-phase four wire switchboard through an outside pad mounted transformer. A 15 KW generator that does not transfer automatically, serves as a backup power unit. It does run when tested. However, it does not transfer automatically during a power outage. A facility repairman is summoned every time the power goes out, to get the generator working, which when started, provides sufficient backup power.

26. IT System
The two computers in use are 10 years old. There is no booking or corrections software at the facility.

27. Security System
There is only one camera that is operational at the present time. There is no perimeter fence. The building's security is primarily reliant on trust and psychology that the detention officers employ with the inmates. Interior locked doors were found that could be forced to open.

28. Energy Usage and Conservation
Duct tape is used to seal around the supply-air registers at the ceiling to prevent the warm air to escape into the ceiling plenum rather then the occupied space. Conditioned air escapes through the open doors, which are kept open for ventilation.

29. Fire Egress – Exterior and/or Secured Areas
The fire egress at the facility does not lead to any secured area outside. In addition, there are fire traps without an escape route at the end of each corridor of the male and female cells. Since one officer serves an average of 30 inmates, it is expected that the inmates when evacuated in an emergency would be free to walk away.

DRAFT

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system, which signals to the fire alarm control panel. However, it does not send a signal to the fire station. The sprinkler system was retrofitted at one time to provide sprinkler heads in the cells. However, because of the block-wall construction these sprinkler heads were located on the walls adjacent to the plumbing chases on one end of the cells. As such if the sprinkler heads are activated in an emergency, the coverage from these sprinkler heads will not cover the physical space of the cell. The wall-mounted sprinkler heads provide a false sense of fire security. There are insufficient fire extinguishers at the facility.

31. Building Access for Staff and Inmates
The staff and visitors come through the main entrance. The inmates are escorted through the side entrance directly from the main parking lot.

32. Hazardous Materials
In the past, the office of operations and project management (OPM) came to check for asbestos and lead paint. They did not report any. There were no complaints regarding any mold.

33. Handicap Access for Staff and Inmates
The facility does not have any provisions for access for handicapped staff, visitors or inmates.

34. Potentially Hazardous Elements
The detoxification cell at present has normal bunk beds, toilets and a shower, which could be harmful to an intoxicated inmate. Inmates may also use articles of clothing to hang themselves from the fins of the return air vents on the walls of their cells.

DRAFT

Section 1

Background Information
of the
Flathead Reservation
Served by the Flathead Detention Center

Flathead Reservation[1]
Federal reservation
Salish and Kootenai
Lake, Sanders, Missoula, and Flathead Counties, Montana

Confederated Salish and Kootenai Tribes
P.O. Box 278
Pablo, MT 59855
406-675-2700
406-675-2806 Fax
Website: cskt.org

Total area (BIA realty, 2004) 817,631.56 acres
Total area (Tribal source, 2004) 1,317,000 acres
Tribally owned (BIA realty, 2004) 775,956.64 acres
Tribally owned trust (Tribal source, 2004) 70,000 acres
Tribally owned in fee status (Tribal source, 2004) 71,000 acres
Individually owned (BIA realty, 2004) 40,942.80 acres
Federal trust (BIA realty, 2004) 732.12 acres
Federal trust (Tribal source, 2004) 700,000 acres

Population (2000 census) 26,172
Tribal enrollment (Tribal source, 2004) 7,005
Percent Native (2000 census) 26.7%

Total labor force (2000 census) 11,878
High school graduate or higher (2000 census) 83.4%
Bachelor's degree or higher (2000 census) 20.8%
Unemployment rate (2000 census) 7.9%
Unemployment rate (BIA labor report, 2001) 36%
Per capita income (2000 census) $14,503

DRAFT

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

LOCATION AND LAND STATUS

Situated in northwestern Montana south of Kalispel and north of Missoula, the Flathead Reservation is 60 miles long and 40 miles wide. The towns of Polson, Pablo, Ronan, and St. Ignatius are on the reservation. The Flathead Lake, the largest freshwater lake in the United States, borders the reservation, and the tribes control about one-half of its shoreline.

GOVERNMENT

The Confederated Salish and Kootenai Tribes have a 10-member tribal council, with members representing each of the 8 reservation districts. The tribal council elects a tribal chairperson and vice-chairperson from its membership. The council appoints a secretary, a treasurer, a sergeant-at-arms, and other offices and committees from within or outside of the tribal council.

The Confederated Salish and Kootenai Tribes were one of the first 10 Native American nations choosing to participate in the 1988 Self-Governance Demonstration Project. Their efforts were successful, and the federal government recognized the nation's self-governance rights in 1993. Their achievements as a self-governing nation have been honored by the Harvard University Kennedy School of Government Honoring Nations Program.

The tribes recently completed construction of a new $3.5 million governmental offices complex that serves as tribal headquarters. This new facility houses various tribal governmental departments, including administration, accounting, personnel, education, cultural resources, and tribal lands.

The Salish/Pend d'Oreille Culture Committee is responsible for facilitating the preservation, protection, and perpetuation of the traditional and living cultures. The committee works on projects such as language retention and documentation and culture preservation. The committee archives include several hundred audiotapes, videotapes, books, slides, photos, individual accounts, and other media. It conducts annual language and cultural camps. The committee employs approximately nine individuals.

The Kootenai Culture Committee functions independently from the tribal organization. It advises the tribal council on matters that affect policy and program development. The committee confers with the Kootenai Elders Committee on all issues pertaining to traditions and cultures. The committee employs six individuals.

The Confederated Salish and Kootenai Department of Human Resources is a large governmental office that manages numerous programs. The majority of the programs serve the social services needs of tribal members. Most of the services are available to members who meet specific income criteria, live at or below the poverty level, and require public assistance. The Confederated Salish and Kootenai Tribes were the first tribe in Montana to contract with the TANF program, a federal program under the Administration for Native Americans that is division of the Administration for Children and Families. The program offers services and assistance pertaining to welfare issues.

DRAFT

The tribes operate a tribal court and tribal court of appeals. These bodies exercise jurisdiction over tribal matters as outlined in the tribal constitution. The Tribal Defenders Office provides legal representation to any enrolled member of a federally recognized tribe in matters that come before the Confederated Salish and Kootenai Tribal Court and any Montana State Court.

The tribal law and order department provides law enforcement-related services on the reservation. In 2002, the department began a training program to prepare community service officers to assist the department by providing additional security at school functions and social events. The department also houses the drug task force. Task force officers serve the reservation and also respond as part of the Northwest Drug Task Force, which covers a five-county area in western Montana.

INFRASTRUCTURE

The reservation is traversed north-south by U.S. Highway 93 and east-west by Montana State Highway 200.

Electricity - The Confederated Tribes manage the Mission Valley Power Electric Utility under a contract with the U.S. Department of the Interior, serving over 15,000 commercial and residential customers. The tribal council appoints the utility's five-member board and seven-member consumer council. The Nation assumed management of the Safety of Dams Program from the Bureau of Reclamation in 1989. Since that time, the Confederated Tribes have met project goals more expediently and cost-efficiently than estimated. The tribes will have the opportunity to fully operate the dam.

Water Supply - The Confederated Tribes' Housing Authority operates over 20 water systems and 20 community sewer systems throughout the reservation.

Transportation - Bus service is available through the reservation. Motor freight and carrier services serve the area. Airport facilities are available in Kalispell and Missoula, both approximately 60 miles from the reservation. Three small airports in Polson, Ronan, and St. Ignatius provide facilities for freight and private planes, including the one used by the tribal game and fish department.

COMMUNITY FACILITIES AND SERVICES

The nation manages the People's Center cultural center. It provides educational programs, Native Ed-Ventures tours, and supplies for local Native artists. Facilities include a museum, art gallery, and gift shop.

The Kicking Horse Job Corps Center is contracted through the Department of Labor and offers career development training to Native Americans aged 16 through 24.

Education - The tribes operate six Head Start centers, including those at Elmo, Arlee, St. Ignatius, Ronan, Pablo, and Paulson, along with 11 public elementary schools, six high schools, a private Christian academy, and the tribes' college. The tribes also operate Two Eagle River High School, which was created in 1974 to serve as an alternative high school for tribal youth. It includes 31,728 square feet of facilities for

DRAFT

grades 7–12, an administration building, vocational shops, a library, a kitchen, a cafeteria, and a gymnasium.

The Salish Kootenai College offers bachelor's degree programs, associate's degree programs, certificate programs, and a registered nursing program. It is a member of the American Indian Higher Education Consortium. Facilities include a fine arts center, science facility, and golf course. Eleven hundred students were in enrolled in 2004.

Health Care - The tribe operates a full health care service program, including medical, dental, pharmacy, and public health nursing services. Services are contracted through the Indian Health Service.

DRAFT

Section 2

Program Review
April 10, 2006

1. Funding of Operations
   Funding for operations is provided through a common pool of funds that include the BIA 93 PL 638 programs, which contributed $1,495,861 and the tribal contribution that included approximately $380,000, for the year 2005. This common fund provides for all the program costs for the law and justice account as well as indirect costs for the maintenance of facilities.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for repairs and maintenance of the facility structure are provided from the common pool, noted in item 1. The indirect costs that included facility maintenance were set at $330,000 for the year 2005.

3. Policies and Procedures
   Policies and procedures are in place. However, they need to be updated. The standards include 1) BIA Standards, 2) Tribal Procedures 69 B and 3) Policy and Procedure manual for the Flathead reservation.

4. Staffing
   There are insufficient detention officers for the number of inmates at this facility. Presently there are eight full-time officers, all of whom are tribal members. It has been difficult to recruit new officers because of a tribal requirement to have only tribal members serve as officers. This requirement has been very recently modified to allow hiring of nontribal members at the facility. One of the difficulties in recruiting new officers is the low prevailing salaries for comparative skills in the region. The starting salary for an officer at this facility is $12.26 per hour, which reaches a maximum of $15.47 per hour. Comparatively, the tribal power company is offering to pay $24 per hour. The Missoula County at this time is also recruiting officers at a higher scale.
   There are insufficient female officers at the facility.

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

6. Staff Training
   Two of the eight officers are certified. They have received three-week training and are certified by the State. Four officers had been trained but the facility lost two officers as a result of competitive recruitment in the region.

DRAFT

The uncertified officers are expected to be trained within the required one-year window from the date of hire.

7. Space for Inmates On-Site
The facility is almost always overcrowded. The facility has a space of 20 beds in six cells. There were 24 inmates on the day of this review. Four of them are accommodated on the floor. The facility houses up to 30 inmates per night during the pow-wow. This does not include a large number of inmates who are booked and released concurrently because of a lack of space at the detention facility. The practice is followed with the consent of the court.

8. Space for Inmates Off-Site
There are insufficient funds to house adult inmates at other facilities. However, juveniles are sent to other facilities and are housed under a separate yearly contract of $229,950 per year for a guaranteed space of three beds any time during the year. The daily off-site rate per inmate is $210, which the facility cannot afford.

9. Staffing Capacity for the Inmates On-Site
There are eight full-time officers at the facility, four of whom were recently hired and are not yet certified or fully trained. Only two are on duty at any given time.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officer provides the transportation and escort of inmates to the court and for health services. Often, one of the two officers on duty serves as the transportation officer, leaving only one individual responsible for up to 24 inmates. Occasionally, the patrol officers help out in the transportation of inmates. However, the patrol officers are short-staffed as well because they patrol approximately 1.3 million acres. Officers also provide the cooking and cleaning over the weekend.

11. Office Supplies for Staff
There are sufficient office supplies for staff at the facility.

12. IT Equipment for Office Use
There is sufficient IT equipment for office use at the facility. The facility uses the Swift system for booking software. The facility is in the process of hiring one full-time individual who could assist with routine duties and logs that require the use of a computer.

13. IT Equipment for Communications Use
The facility recently purchased new hand-held radios and new radios for all patrol cars through a State-funded grant called the 'Northern Tier Project'.

DRAFT

14. Personal Supplies for Inmates
There are sufficient personal supplies for the inmates. The supplies are purchased through the indirect funds provided in the budget for this facility.

15. Uniforms for Staff and Inmates
The staff was recently provided with new uniforms. There are sufficient jumpsuits for the inmates, though they are wearing out.

16. Linen for Inmates
As reported by the detention staff, there are sufficient blankets and mattresses for the inmates at this time. However, the inmates reported and demonstrated extremely worn-down blankets with a large number of holes.

17. Furniture and Fixtures for Staff and Inmates
There are sufficient institutional furniture and fixtures for inmates and appropriate furniture for the staff at this time.

18. Transportation Vehicles.
The facility purchased a 2002 Chevy Impala sedan through the COPS grant. The vehicle serves the needs for transportation at this time.

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding for the utilities for the facility. The utilities are paid through the indirect funds.

21. Hot and Cold Water for Kitchen, Laundry and Showers
The plumbing system is in disrepair. There is insufficient hot water for the laundry. The facility constantly runs out of hot water.

22. Adequate Lighting for Inmate and Staff Areas
There is insufficient lighting for the inmate and staff areas. Lighting levels are low during the day.

23. Ongoing Repairs and Maintenance
The camera system has been recently repaired partially and replaced with new cameras. Generally repairs and maintenance are poor. This building was very crowded and used by several other law enforcement functions until recently, which taxed the infrastructure. The building suffers from a lack of timely repair and maintenance over the years.

24. Deferred Repairs and Maintenance
The plumbing system has been in a state of disrepair. The sewage lines are constantly clogged, which occasionally backs up sewage in the toilets. In 2004, such a backup caused flooding in the jail, kitchen and the judge's chambers. All of the inmates were evacuated for two days. A lot of records

DRAFT

were lost because of the subsequent mold that resulted from damp conditions.

The sewer lines on the site and into the buildings need to be replaced. The hot water and associated plumbing need to be replaced. The HVAC units need to be replaced, both with new units and new controls. The units need to be balanced for appropriate air flow. A backup generator is needed. A sprinkler and a fire detection system are needed to interface with the existing 'Strobe-Horn' system. Night-lights have not worked for eight years. Abandoned electrical junction boxes need to be covered up. The abandoned smoke detection system needs to be removed.

25. Medical Response at the Facility
Medical response is minimal at the facility. Four of the officers are trained first responders. They are also trained in administering CPR. However, they are not trained as EMTs. The Pablo ambulance responds fairly quickly. Inmates are routinely tested by the healthcare nurse. However, it has been two years since they were tested for tuberculosis. An inmate was tested positive for Hepatitis C. The healthcare nurse adjusts the medications, tests and vaccinations regularly, for all inmates. The facility is attempting to arrange for an M.D. to visit the inmates every week. However, the tribal health system has notified the facility that they are running out of funds and that they will eliminate all healthcare services provided to the inmates at this facility.

26. Booking Process at the Facility
There is no Sally port at this facility. Inmates are escorted from the dirt parking lot, through the gate in the chain link fence in the recreation yard. The facility uses the Swift System of software. Booking is conducted with a barrier between the officer and the inmate.

27. Food Service at the Facility
There is a kitchen at the facility. Several kitchen utensils, such as rolling pins and knives, were found in unlocked drawers in the kitchen. The kitchen does not have any locks on the door and is missing all the window panes in the window that opens into the main corridor. These utensils could become potential weapons that could be used against the one and only detention officer who is on duty at most times.

28. Kitchen and Dining Staff at the Facility
There is one cook who provides all of the cooking for five days. The detention officer serves as the cook and server for the remaining two days.

29. Housekeeping Staff at the Facility
The inmates clean their cells and the detention staff cleans their offices and other common spaces.

DRAFT

30. Repairs and Maintenance Staff at the Facility
A shared staff of four individuals provides all repairs and maintenance for all tribal facilities. The repairs and maintenance at this facility suffers as a result of shortage of staff.

31. Inmate Services Provided at the Facility
No inmate services, except for religious 'smudging' is provided at the facility. Inmates do not have an opportunity to talk to any counselors for their rehabilitation. Generally there is no TV, no peer group and no access to daylight for the inmates. Inmates are provided with access to the recreation yard only if there is sufficient staff to escort and monitor them during the entire stay at the recreation yard. One inmate reported that he had received five minutes of outdoor time in the last six months, since September of 2005. The Chief of Police confirmed this statement.

32. Healthcare Assistance in the Community
The Indian Health Service provides general healthcare and mental health services. However, they are short-staffed and opposed to providing any additional services to the inmates. The County is offering the services of two healthcare individuals for mental health assessment that will be available for 'Involuntary Commit'. However, the Indian Health Service is opposing such assistance from the County.

33. Other Support Agencies in the Community
The local college provides classes that may be attended by the inmates. Parenting classes are also offered in the community.

34. General Reasons for Detention
The general reason for apprehension and detention is violent crime in the community.
The reservation is large in area, approximately 1.35 million acres. There is a total population of about 30,000 tribal and non-tribal members on the reservation. This large area is served by only two tribal and one County law enforcement officers. The population is generally poor because of a depressed economy. Drugs have taken over as a 'substitute economy' on the reservation. Migrant workers contribute about 10% of substance abuse that is prevalent. The drug traffic increases significantly in August, December and April as the per-capita checks are issued to the tribal members. This corresponds with the increase in inmate population during these months. The potential for substance abuse has increased exponentially over the past few years. Over the last two years, 76 methamphetamine labs have been discovered by law enforcement.

35. Potentially Harmful Conditions and Behavior of Inmates
The inmates can use blankets and articles of clothing that are commonly available to them, to commit suicide. The facility provides 30-minute cell checks for inmates that are considered to be potentially suicidal.

DRAFT

36. Accountability and Reporting of Incidents
All incidents are reported appropriately. The facility has had five escapes in the recent past. However, there have been no escapes as security has improved considerably with the installation of the new cameras and the key card system.

DRAFT

Section 3

Facility Review
April 10, 2006

The detention facility shares the Dispatch and Court functions in the same building. Until very recently the Police and Patrol were also housed in the same building.

1. Exterior Site Conditions
Exterior site conditions are poor. The general public has direct access to the facility. Security is also compromised because perimeter doors are often kept unlocked and open to provide ventilation.

2. Exterior Exercise/Recreation Area
The exterior exercise and recreation area is used very minimally for lack of appropriate escort to watch over while the inmate is in the area. There are three strands of barbed-wire on top of a chain link fence, with a gate through the chain-link fence that opens into the parking lot. Inmates are escorted through the chain-link fence gate into the building booking area via the exterior door. While the chain-link fence gate was found locked, the exterior door was open to allow for ventilation in the building. There are cameras that monitor the exterior recreation area.

3. Exterior Perimeter Security
Exterior perimeter security is limited to the degree of view by the new cameras that have been installed recently. The camera monitors located at the detention officer's station cannot be monitored since they are located behind and to the side of the normal range of vision of the detention officer. General public has access all around the perimeter of the building up to the building walls and several glazed windows, except the wall that is behind the chain-link fence of the recreation area.

4. Sally Port Security
There is no Sally port at the facility. Officers park their cars to the side of the building on the dirt parking lot and escort the inmate through the gate in the chain-link fence up to the booking area.

5. Building Interior Security
Interior security of the building is fairly poor. A new card key system and a camera system have been recently installed. However, the control station for the detention officer is unsafe.

DRAFT

The general public has direct access up to the reception window of the control station for the detention officer. There is no barrier aside from the Plexiglas between the detention officer and the general public.

The evidence storage room is insecure and can be a potential source for harm to the officers. Firearms and ammunition is stored in the evidence room. There are large, glazed windows covered only with mini-blinds that form a barrier between the outside access by the general public and the firearms.

6. Building Structure
The building structure generally uses a block-wall construction.

7. Building Roof
The building has a flat roof with a protruded flat center, for additional HVAC equipment. The roof was recently repaired, and does not have any leaks at this time.

8. Interior Ceilings
The interior ceiling in the offices in common area have lay-in tile ceiling. The inmate areas generally have hard ceilings.

9. Interior Walls
Generally the interior walls are painted block-wall.

10. Interior Flooring
The interior flooring consists of carpeting in the office areas, vinyl tile in the common areas and painted concrete slab in the cell areas. The flooring in the cell areas is in poor condition in areas around the showers, because of water damage.

11. Interior Dormitory Cells
There are 20 beds distributed in six separate cells. Ten of the beds are used by male inmates while the other 10 are used by female inmates. All cells are devoid of any daylight. All cells are in very poor physical condition. There is a lack of drinking water at the sink-lavatory combination units in the cells. There is a lack of water pressure to allow squirting of the water at the sink-lavatory combination units. The male cells with exterior walls are constantly cold. All cells have poor ventilation. Sewage occasionally backs up in the cells or in the judge's chambers and the judicial offices. Standing sewage was noticed in the floor drain at the isolation cell.

12. Interior Isolation Cells
The isolation cell has security cameras and a floor drain in which standing sewage was observed.

DRAFT

13. Interior Detoxification Cells
There are no detoxification cells. The isolation cell, if available, is used for detoxification.

14. Booking and Intake Area
The booking and intake area is accessed from the exterior side door to a booking room that has a barrier between the inmate and the detention officer. There are no computers, and no booking software at the booking area. A shower is provided in the hallway for incoming inmates; however, it does not work.

A separate intake area is used to book inmates that are detained as potential DUI. This area is accessed through a side door with a card-key access or through the kitchen. This area has the fingerprint device, a computer with a monitor, an intoxication analyzer and video recording cameras. This room also shares lockers for the officers and lockers for inmate property, as well as a standby diesel generator, a washer for the laundry, mop buckets and other miscellaneous stored evidence.

15. Visitation Area
The visitation area is very small and does not provide for sight and sound separation. There is no telephone or intercom.

16. Kitchen, Food Preparation and Pantry Area
The kitchen area is small and lacks sufficient space for a refrigerator and freezer. The kitchen is insecure. While there is a camera, it does not have a lock on the door leading to the hallway and it does not have any glazing on the window overlooking the hallway.

17. Dining Area
The inmates dine in their cells on institutional furniture, which is provided in the cell.

18. Day Room Area
There is no day room at this facility. Arrangements are being made for the past year to install one television set each in the male and female cell areas.

19. Vocational Training Area
There is no vocational training conducted at this facility.

20. First Aid and Medical Assistance Area
There is a first-aid kit, oxygen and a defibrillator at the control station for the detention officer.

21. Toilets and Showers
Only one shower operates for all of the male inmates. The other cell is inoperative. Sewage backs up, and smells foul throughout the cell space when inmates take a shower. Toilets do flush.

DRAFT

22. HVAC System
The controls for HVAC units are inoperative. The unit blows constant cold air. The cells, offices and all common areas have insufficient ventilation. The officers generally open doors and operable windows in the dispatch and other common areas for ventilation.

23. Plumbing System
The plumbing system is in a state of severe disrepair. The combination sink-lavatory units do not drain. Enough sewage backs up in the sewer lines at time to be sufficient reason for an evacuation.

24. Electrical Power System
Electricity is served to this building through three pad-mounted transformers located behind the court area. They are of sufficient electric capacity to serve the building which houses the detention center, the dispatch and the court.

25. Lighting System
The lighting system was installed with the original building. It is inefficient and inadequate. The night-lights have not worked for the last eight years.

26. IT System
The IT system in the control station for the detention officer is adequate. An additional computer and associated correction software are needed at the control station and the booking area.

27. Building Security System
The building security system is poor. A new card-key access system and cameras have been recently installed. The camera monitors at the control station in the detention officer are either behind or to the side and away from the line-of-sight or peripheral vision of the detention officer.

28. Energy Usage and Conservation
There is no awareness of energy use or energy conservation at the site. Exterior lights were found to be lit during the daytime.

29. Fire Egress – Exterior and/or Secured Areas
There is no secure area to evacuate the inmates outside the building in case of an emergency. The recreation yard does not have enough separation from the building and is insufficient to house all of the inmates and the staff that will be evacuated in an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
Abandoned fire detectors were noted in the cell and other common areas. A new 'strobe-horn' system has been recently installed to meet ADA requirements. However, this system does not provide fire detection. There

DRAFT

are fire extinguishers in the building. There are no fire sprinklers anywhere in the common areas, offices or the inmate cells at this building.

31. Building Access for Staff and Inmates
Staff and visitors enter the building through the front entrance at the main gate. Inmates are escorted through the recreation yard and a side door or another side door directly into the intake area for the DUI booking.

32. Hazardous Materials
The building was built in 1972. Use of asbestos and lead paint were prevalent at the time. There are no records of abatement or inspections for lead and asbestos containing material in this building.

33. Handicap Access for Staff and Inmates
There are no provisions for access for handicapped visitors, inmates or staff at this building.

34. Potentially Hazardous Elements
Inmates may use articles of clothing, and strips of mattress covering anchored to the corner of beds, shower heads or the view-screen window in the cell door, to commit suicide. The inmates could also harm themselves by using a number of housecleaning chemicals that are stored in unlocked cabinets.

DRAFT

Section 1

Background Information
of the
Fort Peck Indian Reservation
Served by the Fort Peck Law Enforcement Center

Fort Peck Indian Reservation[1]
Federal reservation
Assiniboine and Sioux
Roosevelt, Daniels, Valley, and Sheridan counties, Montana

Fort Peck Assiniboine and Sioux Tribes
P.O. Box 1027
Poplar, MT 59255
406-768-5155
406-768-5478 Fax

Total area (BIA realty, 2004) 956,496.43 acres
Tribally owned (BIA realty, 2004) 402,887.35 acres
Individually owned (BIA realty, 2004) 553,609.08 acres

Population (2000 census) 10,3[illegible]
Population (Tribal source) 10,321

Total labor force (2000 census) 4,378
High school graduate or higher (2000 census) 80.5%
Bachelor's degree or higher (2000 census) 14.6%
Unemployment rate (2000 census) 17.5%
Unemployment rate (BIA labor report, 2001) 63%
Per capita income (2000 census) $10,691

LOCATION AND LAND STATUS
The Fort Peck Indian Reservation lies in northeastern Montana, primarily in Roosevelt County, although small portions lie in Valley, Daniels, and Sheridan counties. The reservation is bordered on the south by the Missouri River, on the east by the Big Muddy Creek, and on the west by the Porcupine Creek. The largest community on the reservation is Wolf Point, which is also the Roosevelt County seat. Tribal headquarters are located in the Town of Poplar.

[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.

DRAFT

The reservation was established in 1871 by an Executive Order. Over the course of time, Congress has authorized the sale of large portions of tribal lands. The Dawes Act of 1887 authorized the division of tribal lands into parcels to be given to individuals. The Allotment Act of 1908 dictated that each tribal member receive 320 acres, in addition to 40 acres of irrigable land. Heads of families also received 20 acres of timberland. In 1913, over one million acres of unallotted or tribal unreserved lands were made available to non-Native homesteaders. In 1917, a portion of tribally owned and allotted lands was sold to railroad interests. In 1946, Congress authorized the sale of lands for the Fort Peck project, and any lands no longer required for use were to revert into trust status.

In addition to the land held in trust, the tribe retains control of 85,000 acres of submarginal land through a lease agreement with the U.S. Department of the Interior. Title to the Indian-owned land is complicated due to multiple inheritances. As a result of the Dawes Act of 1887, there is a checkerboarding between Indian-owned land allotments, tribally owned land, and land owned by non-Indians (an estimated 55 percent of the reservation).

An estimated 6,499 enrolled tribal members live on the reservation while approximately 3,900 live in off-reservation areas. Tribal enrollment increased by 1,247 enrolled members from 1994 to 2003. Increase of enrolled population is about 1.4 percent per year; using a conservative 1 percent per year growth, tribal enrollment will increase to 12,560 by 2012. Approximately 500 members of other Native American tribes live within reservation boundaries as well. These include Chippewa, Cree, and Teton Sioux people.

DRAFT

PHYSICAL DESCRIPTION
The Fort Peck Indian Reservation lies in regions of rolling hills, glacial till, and river valleys. There are woodlands near the rivers and stock dams.

CLIMATE
The reservation experiences an average of 16 to 17 inches of rain during the summer months. The temperature during the summer ranges from 69°F to 110°F. Winter temperatures range from -30°F to +25°F. Snowfall averages between moderate and heavy. The wind averages 14 miles per hour daily year round.

GOVERNMENT
The Fort Peck tribes adopted their first written constitution in 1927. This constitution was amended in 1952, establishing a representative form of government, and the department of the interior granted it formal recognition in 1960. The Fort Peck tribal constitution remains one of the few modern tribal constitutions that retains provisions for a general council, the traditional form of government. The council includes a chairperson, a vice-chairperson, a secretary-accountant, a sergeant-at-arms, and 12 voting members. All council officers and members are elected at large and serve two-year terms. Council members preside over nine business committees, each dealing with broad areas of tribal policy and business management.

The tribes participate in the Tribal Strategies Against Violence (TSAV) program. The program provides assistance to Native American reservations as they develop community-based programs to address issues of crime, violence, and substance abuse. The Fort Peck division of TSAV established a planning team consisting of representatives from law enforcement, court system, child protective services, education, and business entities. Spiritual leaders and community members are also on the team. The team's primary goals include strengthening community partnerships to create comprehensive service delivery, enhancing prosecution, initiating community policing, and reducing child-to-child violence. In 1996, six law enforcement agencies joined with the Fort Peck TSAV team to create a task force that will discuss multijurisdictional matters, provide educational programs, coordinate investigative procedures between agencies, and rewrite the tribal juvenile code.

INFRASTRUCTURE

Running east-west along the south end of the reservation, U.S. Route 2 serves as the reservation's primary highway. Running north-south, State Route 13 bisects the reservation between Wolf Point and Poplar. The nearest interstate highway is I-94, which lies approximately 90 miles south of the Fort Peck area.

Electricity - Montana Dakota Utilities, Sheridan Electric, Northern Electric, Valley Electric, and McCone Electric provide electricity to the reservation. The tribe has contracted power from the Western Area Power Administration for irrigation purposes.

Water Supply - Water quality and supply are critical issues on the reservation. The tribe has initiated a Municipal and Industrial Rural Drinking Water Program, which will be responsible for an irrigation system along the Missouri River. The tribe hopes the project will help stabilize the water supply and, in turn, better serve the reservation's domestic and commercial needs. The intake construction phase began in 2003, and it is near completion. The whole project is estimated to take 10 years. The Crossroads project (northwest of the junction of Highways 2 and 13) began on November 15 and is expected to take 245 days to complete.

DRAFT

Transportation - Freight delivery, rental car service, a UPS operations center, and AMTRAK rail service are all available at Wolf Point. The Burlington Northern Railroad provides rail freight service to the area, with service provided to the Fort Peck Industrial Park via a rail spur line. Both the Wolf Point International Airport and the nearby Glasgow International Airport offer daily commercial flights. Additionally, there is a small general aviation airport located in Poplar. The Fort Peck Transportation System provides commuter bus service, transporting t college students and workers from outlying reservation communities into Poplar as well as serving the elderly and handicapped.

Telecommunications - Nemont Telephone Company provides telephone services to reservation residents.

COMMUNITY FACILITIES AND SERVICES

The tribe provides an elderly nutrition program and youth cultural and recreational activities. The Saddle Club of Poplar and the Stampede Committee of Wolf Point

organize rodeos in their communities. Four of the six communities on Fort Peck operate their own Boys and Girls Clubs.

Education - Tribal youth attend five public school districts on the reservation. The tribe operates a Head Start program, Fort Peck Community College, and Native American Education Service College. Fort Peck Community College is a fully accredited community college and offers associates of arts and technical degrees. Over 400 students were enrolled during both the fall and spring semester. Native American Education Service College offers a bachelor's degree program and maintains one of the strongest tribal studies programs in the United States. The tribe maintains a scholarship program through their education department. Enrolled members are eligible whether they attend college on or off the reservation.

Health Care - Health care services are contracted through Indian Health Service. Facilities on the reservation include the Verne E. Gibbs Health Center in Poplar and the Chief Redstone Clinic in Wolf Point, and there is a reservation-wide ambulance service. The tribal health department provides a community health representative program and mental health and dental services. It also provides eye care at reduced cost.

DRAFT

Section 2

Program Review
April 13, 2006

1. Funding of Operations
   The funding of operations is undetermined.

2. Funding of Repairs and Maintenance of Facility Structure
   The funding for repairs and maintenance for this specific facility is undetermined. Funding for all repairs and maintenance is provided through a common pool of funds that serves 12 buildings. Besides repairs and maintenance, the fund also pays for the utilities of each of the 12 buildings. The total budgeted fund for this pool is approximately $365,000 per year. Utilities for this building are approximately $36,000 per year.

3. Policies and Procedures
   The policies and procedures for the Tribal and Detention standards as provided by BIA are available at the detention officers' control desk. They are available for the use by all staff at all times.

   The officers acknowledged that each of them have read the policies and procedures and signed an acknowledgment to that effect.

4. Staffing
   There are a total of 10 full-time, Academy-trained, certified detention officers, three of whom are females and seven of whom are males. This includes one individual who also serves as a supervisor. The individuals serve eight-hour shifts. However, they are constantly understaffed for the number of inmates at the facility. Employees do not take time out and reluctantly take vacations in one- or two-day increments. Staff is reluctant to take sick time, death-in-the-family time, or even birthdays, for fear of burdening the remaining staff members.

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

6. Staff Training
   All the staff is Academy-trained, except for one new hire who has joined recently. The detention officer reported that on an average, each officer undergoes a training of at least 10 to 16 hours every year.

DRAFT

7. Space for Inmates On-Site
There is a space of 22 beds in 14 cells, at this facility. The facility housed 24 inmates on April 11, 2006. The detention officer noted that three additional inmates had been negotiated out for a maximum need of 27 inmates on that day. Negotiating out implies a concerted effort of the courts and the uniform division to release an inmate, or only cite an inmate for a minor offense, such as disorderly conduct, DUI or child neglect (if the child has been removed).

Courts have started to issue bench warrants without bonds which has increased the number of inmates who are detained. The detention officers also complained that the courts insist that they have five working days and two days for the weekend, that is seven working days before they make a decision. Thus the detainees could be held at the detention center during this time, and their release cannot be negotiated. Other methods are also used to negotiate out inmates, by sending them for health treatment, weekend release or to be maintained in federal custody, so they may not burden the overcrowded space at this facility.

8. Space for Inmates Off-Site
Inmates are sent to the county jail at Wolf Point twenty miles away, if they have extra capacity to accept inmates from this facility, besides their own. The county jail often refuses since they are also under contract to accept inmates from the federal government agencies both in Billings and Great Falls.

9. Staffing Capacity for the Inmates On-Site
There is a need for more officers. At this time, the facility is operated with at least two officers on duty at all times. Officers are called from home to cover or to provide for transportation, assist with healthcare or to transport an inmate for court proceedings.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide the transportation and escort of all inmates. Occasionally, off-duty officers are called in to assist. More often, the detention officers request assistance from uniformed officers who are kind enough to assist with transportation.

11. Office Supplies for Staff
There are sufficient office supplies for staff at this facility.

12. IT Equipment for Office Use
The IT equipment, though old, is serviceable. The officer uses Sleuth software, which is helpful but cannot check the past record of an inmate from any other facility.

13. IT Equipment for Communications Use

DRAFT

The 'Astro' radio channel that provided communications between a patrol officer and the detention officer has been taken away. The detention officers are unaware of inmates coming in. This provides for unsafe conditions for the detention officer who receives the inmates. Recently, two inmates were brought in, in two separate squad cars. The detention officer booking them did not know that the two separate inmates could not get along with each other. When they were booked in the same cell they began to fight, which had to be broken up by the officer, jeopardizing his safety. Had he known that the two individuals were likely to cause disorderly conduct, he would have booked them in separate cells.

14. Personal Supplies for Inmates
There are sufficient personal supplies for the inmates at this facility. Often they run out and have to borrow supplies from the juvenile division.

15. Uniforms for Staff and Inmates
The facility has sufficient uniforms for the staff and inmates.

16. Linen for Inmates
There are sufficient new blankets for the inmates at this facility.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for the inmates are adequate. However, there is a lack of desks and several broken chairs that are used by the staff.

18. Transportation Vehicles
A fairly new Ford Expedition is used for transportation. However, it does not have a caged barrier between the officer and the inmates. The detention officer has to borrow a vehicle from the uniformed division on occasion to transport inmates.

19. Fuel for Vehicles
There is sufficient fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding to pay for the utilities at this facility.

21. Hot and Cold Water for Kitchen, Laundry And Showers
The facility does not have a kitchen. However, there is sufficient hot and cold water for the laundry and showers.

22. Adequate Lighting for Inmate and Staff Areas
The facility has sufficient lighting in the inmate and staff areas. There is plenty of daylight as a result of the clerestory design of the central area within the facility. Inmates complain of excessive light at night from the night-light, and in the day from the daylight, which prevents them from viewing their television sets.

DRAFT

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at this time.

24. Deferred Repairs and Maintenance
The electrical and mechanical door control mechanism of the cell doors need to be replaced for all doors. The bunk beds for all the upper bunks need to be replaced. All bunk beds need to be re-anchored to the walls. All shower stalls need to be replaced. All combination sink-lavatories need to be replaced. The control console for the cameras needs to be redesigned so that the detention officer has a clear view of the camera monitors from his station. There is a need for eight additional cameras and four camera monitors with a high-resolution.

25. Medical Response at the Facility
Medical response at the facility is minimal. There is a first-aid kit and an Artificial External Defibrillator (AED), available at the detention control station. There are no routine visits by a healthcare professional to check the inmates for tuberculosis, hepatitis, HIV, AIDS or dental needs. Detention officers reported that inmates often spit in their faces. The hospital is only about two minutes away and an ambulance is summoned to transport an inmate for any serious healthcare need.

26. Booking Process at the Facility
The booking process is adequate for now; there are a camera and audio recording apparatus in the booking area. There is a need for software that can access the history of an inmate.

27. Food Service at the Facility
There is no kitchen at this facility. The juvenile detention center provides cooked food that is transported in a van and served by the cooks.

28. Kitchen and Dining Staff at the Facility
Cooked food is served by others. The officers provide oversight and escort only.

29. Housekeeping Staff at the Facility
Trustees provide housekeeping in common areas. Correctional officers perform the cleaning in the booking and visitation areas. Inmates provide the cleaning for their housing. The BIA facilities' staff provides the cleaning of office areas.

30. Repairs and Maintenance Staff at the Facility
There is no specific staff to provide repairs and maintenance for this facility. BIA facilities staff provides such repairs and maintenance and shares these duties among 12 buildings.

DRAFT

31. Inmate Services Provided at the Facility
The clergy come in regularly. However, the facility does not have a space to accept services from Alcoholics Anonymous, who have offered to provide such services to the inmates. In the past, yoga classes were held but they were discontinued for lack of space. The space that was used for such activities was a portion of a storage room.

32. Healthcare Assistance in the Community
Intensive outpatient treatment is provided at the 'Spotable Treatment Center' for drug and alcohol rehabilitation and treatment. The Center provides evaluations and holds classes on Monday, Wednesday and Friday 9:00 a.m. to 3:00 p.m. Courts have approved the use of this rehabilitation for the inmates. However, detention officers have to escort the inmates out and stay with them for the duration of the activity. The inmates cannot take advantage of this opportunity because of a shortage of staff.

33. Other Support Agencies in the Community
The community provides Parenting classes offered by the tribe. Anger Management classes are provided at the Spotable Treatment Center. GED classes are provided by the local college.

34. General Reasons for Detention
The general reason for apprehension and detention is violent crime related to drugs activity.

35. Potentially Harmful Conditions and Behavior of Inmates
Potentially harmful conditions and behavior of the inmates to harm themselves emerge from the mental health problems of the inmates. Such inmates have to be segregated in an individual cell. There are no cameras in the cells, resulting in the detention officer constantly checking the condition of the inmate by entering the cell. There is a lack of segregated cells. As such, mentally disturbed inmates are being housed in the same cells as other inmates. Collectively, this has created an unsafe condition, both for the officers and the inmates who are housed at this facility.

36. Accountability and Reporting of Incidents
Incidents are reported through the daily logs.

DRAFT

Section 3

Facility Review
April 13, 2006

1. Exterior Site Conditions
The exterior site conditions provide fairly easy access to the general public. The evidence yard behind the building provides easy places for escapees to hide.

2. Exterior Exercise/Recreation Area
A separate exercise and recreation area is provided for the male and female inmates. This area is insufficient for fire evacuation for lack of space for the inmates and sufficient separation from the building. The exercise and recreation area is unsafe, because of the direct view that it provides between the respective recreation areas and the male and female cells windows, which are often used to display obscene gestures.

3. Exterior Perimeter Security
There is minimal security around the exterior perimeter. There are only three cameras; one at the Sally port and one at each of the recreation yards that monitor the perimeter.

4. Sally Port Security
The Sally port is a covered space with the rollup door. The rollup door is generally kept closed.

5. Building Interior Security
The interior security of the building is minimal. While there are 14 cameras, they are placed at awkward locations with a number of blind spots that cannot be monitored by these cameras. The control console for the detention officers is poorly designed so it cannot monitor all of the cameras, and concurrently provide a space for the day-to-day activities at the control station. The detention officer at the controls can be harmed, since the control station is located in the line of sight from the reception window that is provided for reception and access by the general public.

6. Building Structure
The building consists of grouted block-wall with a slab on grade.

7. Building Roof
The roof has metal deck with a wood base, anchored with screws through the metal deck. This is then layered with foam at the top and a rubberized membrane 50 mils thick. The roof above the cells is a concrete deck. The roof has a 15-year warranty. The roof was installed two years ago and is in good shape. It does not have any leaks.

DRAFT

8. Interior Ceilings
The office areas are generally a suspended ceiling with lay-in 2 x 4 tiles. The remaining areas have hard ceilings.

9. Interior Walls
The housing, booking and control areas are block-wall. The offices consist of wood framing and a drywall covering.

10. Interior Flooring
The inmate housing consists of painted concrete floors which is the slab on grade. Vinyl tiles are used in the common areas and corridors. Carpeting is used in the office areas.

11. Interior Dormitory Cells
The interior dormitory cells are set up with four bunks, two bunks and a single bunk. The upper bunks are in a state of disrepair with their base welds peeling out from around the frame. Many bunks have pulled out from their anchors in the block-wall. The door control mechanism consists of either an electronic operated control or manual controls. It was noticed that the cell doors could not be operated in an emergency, should the electrical power fail. Such failure would cause the cell to become a fire trap. Every cell door needs to have a control mechanism capable of opening the door through a manual override, in case of an emergency.

12. Interior Isolation Cells
The interior isolation cells may have padded walls. The flammability of these wall coverings is being investigated. They will need to be replaced by a nonflammable material, should they test out as being flammable.

13. Interior Detoxification Cells
The interior detoxification cells have padded walls. The flammability of these wall coverings is being investigated. They will need to be replaced by a nonflammable material, should they test out as being flammable.

14. Booking and Intake Area
There is poor security at the booking and intake area. There is no barrier between the inmate and the detention officer. While there is a camera, the resolution of these images is very poor. The camera and the video recorder need to possess a higher-resolution scan so that detailed recordings can be made of the inmate's personal possessions such as currency notes, which are removed from the inmate during the booking process.

15. Visitation Area
The visitation area is very small and easily lends to an exchange of contraband material through the screen below the Plexiglas barrier between the inmate and the visitor.

DRAFT

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at this facility.

17. Dining Area
Inmates generally eat in their cells or in the secured common area outside their cells when multiple cells are designed as a dormitory.

18. Day Room Area
There is no day room at this facility.

19. Vocational Training Area
There is no area that serves the inmates for vocational training at this facility.

20. First Aid and Medical Assistance Area
There is no specific area to render medical assistance. The facility has a first-aid kit that is used to provide minor healthcare.

21. Toilets and Showers
There was no drinking water in several of the cells tested. There was no hot water either, at several sinks. The stainless steel shower stalls have seams that have failed. As such, water flows through the shower stall and onto the floor, causing potential growth of mold in and around the wet area. Need to replace all combination sink-lavatory units and the stainless steel shower stalls.

22. HVAC System
Heating is provided by boilers and heat exchangers, supported with natural gas. However, the water at the facility is very hard and a water-softening system is in use. Heating and cooling is controlled from another building. Large zones control most of the building. The dampers do work, using a DDC control system. The new heat pumps on the roof provide for cooling only and do not have any electric heater or gas for heating. The older original air-handling units on the roof and the center provide for both heating and cooling.

23. Plumbing System
The plumbing system suffers from extremely high hard-water salts in the area. Even though a water-softening system is in use and rust inhibitors are used to constantly keep the plumbing lines clean and free-flowing, there are pin holes in the copper lines that show up as small leaks. The water heater at the facility was replaced two years ago, and is in need of replacement again. The average life for a water heater in this area is 1.5 years.

24. Lighting System
The facility is well lit and the light fixtures are in good repair. All the light fixtures contain electronic ballasts.

DRAFT

25. Electrical Power System
The facility is served by a 400 amp, 208 Y/120 V, three-phase four wire system. There is sufficient electrical power to serve the facility. Electrical power is supported by a backup 20 KW generator with a 70 amp transfer switch. The generator is exercised weekly for five minutes. The generator indicated 215 hours of use on the hour gauge.

26. IT System
The facility is in the process of installing a new communications system that will utilize VoIP (Voice over Internet Protocol). The project was expected to be completed by August 2006.

27. Building Security System
The building security system is poor. More cameras are needed in addition to high-resolution video recorders at the booking space and high-resolution video monitors at the detention officers' control station. The weapons storage lockers for the officers need to be moved out of the detention officers' control room space. The booking space is small and unsafe. The detention officer in the control station should not be in a line of sight from a location accessible by the general public.

28. Energy Usage and Conservation
The building uses electronic ballasts in the light fixtures. The new roof has foam insulation.

29. Fire Egress – Exterior and/or Secured Areas
The fire egress into exterior secured area is poor and unsafe. The recreation areas cannot accommodate the number of inmates and concurrently provide enough separation between the building and the inmates. During a fire emergency in the past, inmates were evacuated to the outside and let go by court orders with instructions to return back the next day.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
The facility has a working fire alarm system with a fire alarm control panel that signals directly to the fire station. There are sufficient fire extinguishers and they are tested once per year. There is an updated sprinkler system with new sprinkler heads that are specifically manufactured for use in detention facilities. The system is tested once a year.

31. Building Access for Staff and Inmates
The staff uses the front entrance. The inmates come through the Sally port, the front entrance or through the corridor leading from the court.

32. Hazardous Materials
The building was built around 1971, when asbestos and lead paint were in common use. There is no record of any inspections or abatement of asbestos/ lead paint at this at this site. Mold was once noted and abated appropriately.

DRAFT

33. Handicap Access for Staff and Inmates
The staff and inmates have no provisions for any access to the building or restrooms by handicapped individuals. Mr. Marvin Azure of the facilities department reported that he is in the process of changing five combination sink-lavatory units to the handicapped type. He has applied for funding of $7,000.

34. Potentially Hazardous Elements
The facility has several areas that could be potentially harmful to the inmates. Inmates can use their own clothing, strips of mattresses or shaving razors to commit suicide. Potential anchors to hang sufficient weight is provided by the corner of the upper bunks, and the lookout screens on the cell doors. Inmates have overdosed on prescription pills in order to commit suicide.

DRAFT

Section 1

Background Information
of the
Northern Cheyenne Reservation
Served by the Northern Cheyenne Law Enforcement Center

Northern Cheyenne Reservation[1]
Federal reservation
Northern Cheyenne
Big Horn and Rosebud counties, Montana

Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043
406-477-6284
406-477-6210 Fax
Website: ncheyenne.net

Total area (BIA realty, 2004) 440,882.43 acres
Tribally owned (BIA realty, 2004) 339,888.31 acres
Individually owned (BIA realty, 2004) 100,993.44 acres
Federal trust (BIA realty, 2004) .68 acres

Population (2000 census) 4,470

Total labor force (2000 census) 1,567
Total labor force (BIA labor report, 2001) 1,618
High school graduate or higher (2000 census) 74.6%
Bachelor's degree or higher (2000 census) 13.5%
Unemployment rate (2000 census) 19.5%
Unemployment rate (BIA labor report, 2001) 27%
Per capita income (2000 census) $7,736

LOCATION AND LAND STATUS
The Northern Cheyenne Reservation spans nearly 450,000 acres of southeastern Montana. It is situated about 100 miles east of Billings, Montana, and 75 miles due north of Sheridan, Wyoming. The reservation is bordered on the east by the Tongue River and on the west by the Crow Reservation. The reservation was established by an Executive Order in November 1884.

DRAFT

[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.

The tribe has purchased 560 acres adjacent to the Bear Butte State Park in South Dakota, 5,000 acres adjacent to the southern boundaries of the reservation, and 554 acres of land near the Tongue River Dam.

PHYSICAL DESCRIPTION
Terrain on the reservation varies from low, grass-covered hills to high, steep outcroppings to narrow valleys. Elevations range from approximately 3,000 to 5,000 feet. Rocky areas on the reservation comprise the Fort Union Formation. The formation consists of alternating layers of sandstone, shale, and coal beds and has been dated to the Paleocene Era. Plant and animal fossils are apparent.

CLIMATE
The reservation experiences average temperatures of 46°F. Snow is often heavy during winters, and roads may become impassable in places. Average relative humidity is between 25 and 35 percent.

GOVERNMENT
The Northern Cheyenne Tribe was recognized as a sovereign nation under an amended constitution, and bylaws and corporate charter were approved pursuant to the Indian Reorganization act of 1934. The tribe adopted a constitution and bylaws in 1936 and amended them in 1960.

DRAFT

The tribal council serves as the governing body, consisting of the president, vice-president, sergeant-at-arms, secretary, treasurer, and one representative for every 200 enrolled tribal members. The president is elected at large; representatives are elected from each of the five districts on the reservation; the vice-president and sergeant-at-arms are elected by the council, and the secretary and treasurer are appointed. The secretary and treasurer have no voting powers on the council.

The tribe operates a number of programs. Departments include air quality, child care, community health representative, commodity, community health, EA, elderly, environmental protection, M.S.U. extension, natural resources, personnel, Sand Creek Offices, tribal employment rights, fish and wildlife, Title IV-E, education, forestry, health, enrollment services, WIC, and work investment act.

The tribal constitution created a judicial branch of the tribal government. It consists of all the tribal courts. The courts exercise authority over decisions regarding the constitutionality of council enactments and resolutions; they also exercise authority over criminal and civil matters within the tribe's jurisdiction. The Comprehensive Indian Resources for Community and Law Enforcement is funded through the U.S. Department of Justice. Program goals include building a youth services center, a detention center, a group home, an alternative school, a juvenile mentoring program and a number of other social services related to crime prevention.

INFRASTRUCTURE
U.S. Highway 212 passes east-west through the reservation, while Route 315 also directly serves the reservation. Road 39 provides access from Lame Deer to Forsyth, Montana, and a paved road maintained by the BIA provides access from Ashland to

Birney, Montana. During winter months, roads may become snowbound and icy, often impassable. The Highway Department is responsible for clearing obstructions and maintaining safe passageways.

Electricity – Pacific Power and Light provides electricity to the reservation. It has a coal powered electric-generating facility 21 miles north of Lame Deer.

Water Supply – The Northern Cheyenne Utilities Commission supplies domestic water to residents within population centers on the reservation. Wells located on individual lands or a district well, supplies water to outlying residencies.

Each district maintains a central sewage system that services residences within population centers. Individually owned septic tanks service outlying residencies. The Indian Health Service and the Tribal Utilities Commission retain responsibility for maintaining and operating the water and sewage systems. Solid waste is transported to transfer sites located near population centers in each reservation district and then on to the Rosebud County or Bighorn County landfills.

Transportation - The nearest commercial bus services are available in Crow Agency, 45 miles from the reservation and in Forsyth, 58 miles away. The Catholic Church maintains a private airstrip on the reservation. Billings and Sheridan, Wyoming, offer the nearest commercial air service. A railroad spur 20 miles north of the reservation connects with Burlington Northern rail lines.

Telecommunications - Range Telephone provides telephone service to the reservation. Northern Cheyenne Tribe Internet Service Provider furnishes Internet services. Several commercial television and radio stations serve the region.

DRAFT

COMMUNITY FACILITIES AND SERVICES

The tribe operates several community programs, including the Boys and Girls Club, a child care program, Healing Hearts, and the Recovery Program. Facilities include the fitness center. The Boys and Girls Club sponsors three sites on the Northern Cheyenne Reservation. It offers a technology center, Torch Club, Youth of the Year, CLUBService, Power Hour, Career Explorers Club, Junior Staff Career Development, SMARTMoves, Fine Arts Exhibit Program, NIKE Girls Sports, Challenges and SWOOSH clubs, and an after-school meal program, among many other programs and activities. The Boys and Girls Club provides support, education, and healthy alternatives for youth on the reservation. The club sponsors an annual youth powwow.

Native Action is a community-based organization that works together with the Northern Cheyennes and other tribes to promote and protect the community's needs. They strive to raise awareness of social issues and to empower tribal members to actively participate in the political, social, and economic processes on the reservation.

Public Safety - The tribe manages a volunteer fire department.

Education - The reservation maintains a Head Start program with nine sites throughout the reservation. The program received an award to initiate a Head Start curriculum in

conjunction with Dull Knife Community College. The curriculum, "Identity-based Education: The Role of Culture in Helping People Become More Socially Competent" is funded by the Administration for Youth, Families, and Children and by the American Indian Program Branch of the Head Start Bureau. Another award was granted to establish the "Healthy Children, Healthy Families, Healthy Communities" curriculum to address diabetes among Head Start children, families, and staff.

The tribe has an elementary school and a public high school. The Catholic Church operates the K–12 St. Labre Catholic Indian School on the eastern border of the reservation. It is a private school that provides boarding and day school services to students primarily from the Crow and Cheyenne reservations.

The tribe also operates the Dull Knife Memorial Community College. It is a fully accredited college and offers associate's degree programs in the arts and sciences. The college sponsors the Junior Path Makers school-to-work program. The program serves as a mentoring network to guide students in their career paths. The program sponsors a summer bridge heritage camp each summer. Program volunteers also actively contribute to the revitalizing the indigenous language through awareness programs sponsored in the local elementary and secondary schools.

Health Care - The Northern Cheyenne Community Health Center provides Indian Health Services to the reservation. The center employs five physicians and seven nurses, and it has an emergency room. The Northern Cheyenne Ambulance Service provides ambulance services to the center. Full-service facilities are available at the Crow Indian Health Service Indian Hospital and hospitals in Billings or Sheridan.

The Northern Cheyenne Tribal Health Department operates a number of programs to serve tribal members. Services range from health and nutrition education to alcohol and drug abuse treatment programs to cancer screening and support services. There are nine community-oriented programs in total, with three support programs and 40 permanent employees. The tribe's diabetes program is perhaps the department's most vital program. Diabetes is the fourth leading cause of death among the Northern Cheyenne, and the incidence continues to increase. Projections indicate that by 2005, 948 tribal members will be living with diabetes. The program provides education, screening, and assessment; conducts home visits and hospital follow-up visits; reviews lab data; and monitors blood sugar levels.

DRAFT

Section 2

Program Review
April 14, 2006

1. Funding of Operations
   All funding of operations and budgets are handled in Billings, Montana.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides funding for the repairs and maintenance. There is a chronic shortage of facility support in repairs and maintenance from the BIA. The facility has been asking to have the building painted for the last five years and the garage door has been broken for the last two months.

3. Policies and Procedures
   Two officers reported that they have never seen the policies and procedures binder. The white binder and the red handbook binders were pulled out later from one of the bookshelves, and flipped through. A general comment was made by one of the officers: "What do we do with it? We can read it during our shift—but we need more. Sending out the policies and procedures manual is not enough." It appears that the field officers and staff needs additional training in organizing and using the policies and procedures manual.

4. Staffing
   The staff at the present time maintains eight-hour shifts, with very inflexible scheduling. There are five officers that are taking care of 30 inmates. The inmate count went up to 82 on Christmas Eve of 2005, for a facility that has 19 beds.

5. Programs
   There are no specific programs at the facility for the benefit of the inmates. Church groups come in occasionally. The staff expressed a need to keep the inmates busy. They would like to have a GED instructor and closed-circuit instructional television. They requested programs for arts and crafts, basketball and a sweat lodge.

6. Staff Training
   There is consistent deficiency of training for the staff. Officer Randy has not gone to any training since 2003. He has been scheduled to go in May of 2006 for a period of three weeks to the academy, in Artesia, New Mexico. There are two other officers who have been scheduled. Generally the staff expressed a lack of time for training because there is no backup support back at the facility. The staff requested that trainers come to the facility.

DRAFT

7. Space for Inmates On-Site
There is a total space of 19 beds and 30 inmates are housed today. At peak, there were 82 inmates housed at this facility.

8. Space for Inmates Off-Site
There are no inmates housed off-site.

9. Staffing Capacity for the Inmates On-Site
There is a total of five officers; that is, four officers and a supervisor who participates in the day-to-day activities as a correctional officer as well.

10. Staffing Capacity for Transportation and Escort for Inmates
The correctional officers also transport the inmates to the courts and to the healthcare facilities.

11. Office Supplies for Staff
The staff is out of file folders at the present time. Generally there are sufficient office supplies for staff use. They occasionally have to borrow office supplies from other departments.

12. IT Equipment for Office Use
The IT equipment consists of two computers that were borrowed from the Police Department. This equipment is at least five years old and in disrepair. Presently, the staff uses Microsoft Office software. The staff requested software that is generally used in the Corrections Department both to login the day-to-day activities as well as the booking software such as 'Spillman' which is able to cross-check the history of the inmates who are being booked.

13. IT Equipment for Communications Use
The corrections staff does not have any radio equipment to communicate regarding incoming inmates. This function is supported by the Dispatch, who announces the incoming inmates for the corrections officer.

14. Personal Supplies for Inmates
At this time, the facility is out of toothbrushes for the inmates. It is expected that the Public Health may donate some. Ordering supplies is a lengthy process due to procedures that are set in place.

15. Uniforms for Staff and Inmates
Inmate uniforms are used until they wear out. The officers have not been provided an allowance for uniforms for the last three years. The officers need boots. They have been provided two pairs of boots during the last three years. Handcuffs used by the officers are borrowed. There are no personal panic transmitters issued to the officers, and there are no bullet-proof vests that are issued to the officers.

DRAFT

16. Linen for Inmates
The officers reported sufficient blankets for the inmates. However, the inmates complained that even with two blankets they are cold on the floor. Blankets are donated by charitable organizations. The facility needs more blankets.

17. Furniture and Fixtures for Staff and Inmates
The officers are still using the same broken chairs that were in use approximately a year ago when Ms. Deidre Wilson and Ms. Valerie Lavender visited the facility and promised new chairs. Inmates have institutional furniture, which is in constant repair.

18. Transportation Vehicles
The officers use a small Ford Trailblazer that can hold the inmates in the back and one next to the officer up front. However, the vehicle does not have a cage or a radio, should there be an emergency. They need a bigger vehicle to transport the entire inmate population efficiently when, on occasion, the sewer backs up, or if a large number of inmates are being transported to another facility.

19. Fuel for Vehicles
There are sufficient funds to pay for the fuel for the vehicles.

20. Utilities for Facility
There are sufficient funds to pay for the utilities at the facility. Electricity and propane are used at this facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water for the kitchen, laundry and showers. There is enough capacity for the hot-water tank to support use by staff and inmates.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmates and staff areas.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at the facility at this time.

24. Deferred Repairs and Maintenance
Please refer to section 3.

25. Medical Response at the Facility
There is a first-aid kit at the facility. The staff generally calls the local health service, which responds in three to five minutes.

DRAFT

26. Booking Process at the Facility
The booking process at the facility is manual. There is no support software for the officers to review the past record of the inmates as they are being booked.

27. Food Service at the Facility
There is a small kitchen at the facility and three meals a day are provided to the inmates.

28. Kitchen and Dining Staff at the Facility
There is one full-time cook five days a week. A trustee generally cooks for the remaining two days.

29. Housekeeping Staff at the Facility
The officers clean their offices. The trustees clean the hallways and other common areas. The inmates clean their own cells.

30. Repairs and Maintenance Staff at the Facility
There is no staff at the facility for routine repairs and maintenance. A work order has to be prepared and submitted. Response is very slow.

31. Inmate Services Provided at the Facility
Church services are provided for the inmates at this facility. A healthcare nurse comes in once a week. There are no routine checks for tuberculosis, hepatitis, HIV or AIDS. Officers reported that inmates often spit in their face. While officers used rubber gloves, there are no face masks available at the facility.

32. Healthcare Assistance in the Community
There is a healthcare facility available about five minutes away from this facility. This healthcare facility provides for mental health, physical therapy x-rays, dental care and such.

33. Other Support Agencies in the Community
There is an alcohol recovery center in the community that provides services to the inmates.

34. General Reasons for Detention
Most of the incarceration is related to violent crime resulting from the abuse of methamphetamines. The crime rate is 410, 546 and 40,251 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Generally inmates are evaluated to detect if they could harm themselves. Such inmates are detained in the segregated cells. Many years ago, an inmate did commit a successful suicide in the shower stall of the detoxification cell. Occasionally inmates try to commit suicide by tying their shirt or an article of clothing to the air-vent grate on the wall within the cell.

DRAFT

36. Accountability and Reporting of Incidents
The staff reported that they are submitting incident reports on a routine basis.

DRAFT

Section 3

Facility Review
April 14, 2006

1. Exterior Site Conditions
   Generally, the exterior site conditions are fairly poor. There are several ways to escape, for example, by climbing over the fence at the recreational yard, which consists of only three barbed wire strands on top. There is no razor wire coil around the barbed wire. The recreational yard is accessible to the general public through the chain-link fence. There is no second exterior perimeter fence that can prevent the general public from passing out contraband material. Within 100 yards of the recreation yard, is a deep ravine with dense growth of trees that has served as a hideout for the escapees.

2. Exterior Exercise/Recreation Area
   The exterior exercise and recreation area is fairly small and used minimally. A typical use is a 15-minute period, per week per inmate. The staff reported such minimal use due to lack of supervising staff in the recreation area. There have been escapes in the past.

3. Exterior Perimeter Security
   There is minimal perimeter security. Only two cameras are provided to cover the exterior of the facility.

4. Sally Port Security
   The Sally port is secure only when the rollup door is closed.

5. Building Interior Security
   Interior security of the building is poor. There are several blind spots for the cameras. The cell doors are operated either electronically or with a manual lever. An emergency test was conducted to demonstrate the opening of the cell doors during an emergency evacuation. Cell doors for certain cells did not open with the manual lever, as required. Inmates George and Trinidad would have been trapped in their cell and would not have been evacuated if there was a fire at the facility.
   There are a total of 15 cell doors whose control mechanism needs to be replaced.

6. Building Structure
   The facility is a block-wall structure with a built-up tar roof.

DRAFT

7. Building Roof
The built-up tar roof has had multiple leaks that have damaged the ceiling tile and sheet-rock in the facility. While the roof has been repaired, the interior ceiling tile and sheet-rock have yet to be repaired. The roof itself is in a state of disrepair.

8. Interior Ceilings
The interior ceilings of the staff areas are generally drop-in ceilings, while those in the inmate areas are painted hard ceilings.

9. Interior Walls
Generally the interior walls are painted block-wall.

10. Interior Flooring
The flooring is generally vinyl tile floor in the offices and painted concrete slab in the cells.

11. Interior Dormitory Cells
No hot water was observed at several of the sinks in the dormitory cells. Slow running drains and plugged-up drains caused sewage to back up. There was an internal backup between adjacent toilets so that flushing of one toilet would push the waste into the other toilet. A toilet plunger was observed by the toilet in one of the cells.

12. Interior Isolation Cells
The flammable covering (orange in color) in the isolation cells need to be removed.

13. Interior Detoxification Cells
The window framing in the detoxification cell is loose and can be pushed out about half an inch. It can be pushed out completely with a hard blow.

14. Booking and Intake Area
The booking and intake area is unsafe. There is no barrier between the inmate and the officer. There is no way to restrain an inmate. Presently inmates change their clothes in the cell. This could allow contraband material to pass through to the cell and on to other inmates.

15. Visitation Area
There are no cameras to monitor the visitation area. The wire mesh screen below the glass window is vulnerable to poking holes and passing contraband material.

16. Kitchen, Food Preparation and Pantry Area
The cook was off-duty and thus cooking was being handled by the trustee inmate on the day of the review. The kitchen, food preparation and pantry area is generally in order. However, several objects that could be used as potential weapons such as sharp kitchen utensils, spatulas, rolling pins and a

DRAFT

knife were found in unlocked kitchen drawers. These were all accessible to the trustee inmate who was working as a cook.

17. Dining Area
The inmates use the common dining area outside each of the cell pods. There is no specific day room or dining area at this facility.

18. Day Room Area
There is no specific day room area at this facility. The TV set is brought in after hours on a trolley in the common area for the use by the inmates. The telephone handset that is provided in the common area has poor transmission and reception and the inmates have to shout out in order to use the telephone.

19. Vocational Training Area
There is no vocational area for inmate vocational training at this facility.

20. First Aid and Medical Assistance Area
There is no specific space for medical assistance at this facility.

21. Toilets and Showers
The showers have mildly warm water. Almost all of the plumbing fixtures leak. Every cell does have cold water at the sink. However, upon request, some inmates get their drinking water in a cup or pitcher through the cell door hatch.

22. HVAC System
The HVAC system is in disrepair. The system has not been maintained for a long period of time. The last record of a change of return air filter was in July of 1996. The duct work is extremely filthy and needs to be cleaned. Stacks of filters were found in the mezzanine that may not have been replaced in years. The controls for the HVAC system malfunction and do not respond to the temperature demands. The repair and maintenance team for the facility does not respond in a timely manner even with appropriate work requests. Inmates have covered up the supply-air vents, using toilet paper, because of continuous supply of cool air to their cells. The supply-air vents occasionally purge out accumulated lint into the cells.

23. Plumbing System
The plumbing system is in disrepair. It has been overloaded by the number of inmates who use it and the lack of routine maintenance. The sewer lines are overloaded and sluggish to drain. The sewage backs up resulting in foul sewer-smell in the cell areas.

24. Lighting System
The facility still uses the original inefficient T12 fluorescent lamps in surface-mounted light fixtures with a night-light. The lighting in the cell areas is inadequate because of a lack of burnt-out fluorescent lamps.

DRAFT

25. Electrical Power System
The facility is served with a 400 amp 208 Y /120 V three-phase four wire system. A 20KW diesel generator serves as a backup for a power outage. However, it is not exercised in a regular manner. It is unknown if the batteries are still charged enough to start the generator. The supply fuel line from the day-tank to the generator was found insecurely dangling in the fuel tank. The staff reported that the generator did not operate during a two-hour power outage last month. The dispatch was working in the parking lot with flashlights. The facility lost all telephones during the power outage.

26. IT System
The IT system is outdated and about 15 years old.

27. Security System
The building is not well secured. There are few cameras outside and several blind spots for the cameras inside.

28. Energy Usage and Conservation
The building does not use energy efficiently. The original inefficient light fixtures are still in use. Because of a lack of repair, the staff uses duct tape on exterior doors to seal out the cold drafts.

29. Fire Egress – Exterior and/or Secured Areas
The inmates can get trapped in their cells and cannot be evacuated during an emergency because of malfunctioning controls for the cell doors. There is not enough space and physical wall separation to evacuate the inmates in the recreational yard. At the present time, the fire plan calls for shackling the inmates then taking them out one at a time and releasing some who could be trusted to come back at a later time.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system, which is not connected to a fire station. There are fire extinguishers that are tested every six months. There is a sprinkler system, but it could not be determined if the sprinklers were ever tested.

31. Building Access for Staff and Inmates
The inmates come through the Sally port; staff and visitors come through the front entrance.

32. Hazardous Materials
The facility was built in 1962 and renovated in 1987. It is unknown if it was ever checked for asbestos or lead paint since they were in use at the time it was built. One inmate reported mold in one of the cells, but we were unable to determine mold at the reported site.

DRAFT

33. Handicap Access for Staff and Inmates
There is no handicap access for either staff or inmates.

34. Potentially Hazardous Elements
The return air vents on the walls were noted to have fins that were bent. The cell doors have screen grates. Both provide an element that are strong enough to hold weight and around which an article of clothing could be strung. They could be and have been used to commit suicide.

DRAFT

Section 1

Background Information
of the
Wind River Reservations
Served by the Wind River Detention Center

Wind River Reservation[1]
Federal reservation
Shoshone and Arapaho
Fremont and Hot Springs counties, Wyoming

Northern Arapaho Tribe
P.O. Box 217
Fort Washakie, WY 82514
307-332-6120
307-332-7543 Fax

Eastern Shoshone Tribe
P.O. Box 538
Fort Washakie, WY 82514
307-332-3532
307-332-3055 Fax

DRAFT

Total area (BIA realty, 2004) 1,889,708.19 acres
Federal trust (BIA realty, 2004) 1,296.15 acres
Tribally owned (BIA realty, 2004) 1,794,480.54 acres
Individually owned (BIA realty, 2004) 93,931.5 acres

Population (2000 census) 23, 250

Total labor force (2000 census) 11,256
High school graduate or higher (2000 census) 83.1%
Bachelor's degree or higher (2000 census) 14.6%
Unemployment rate (2000 census) 11.5%
Per capita income (2000 census) $14,661

LOCATION AND LAND STATUS
The Wind River Reservation spans 2,268,008 acres in the scenic west-central portion of Wyoming. The reservation stretches from the northern part of the Owl Creek Mountains

[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.

to Sand Draw in the south. Its eastern boundary begins just west of the community of Shoshone and extends westward to the Town of Dubois. The Eastern Shoshone Tribe is centered primarily in the communities of Fort Washakie, Wind River, and Crowheart in the northern and western portions of the reservation. The Northern Arapaho Tribe occupies the southeastern portion of the reservation and the communities of Ethete, Arapahoe, and St. Stephens. The entire reservation is located in Fremont County.

The 1863 Fort Bridger Treaty established the reservation, which originally spanned over 44 million acres, for the Shoshone Tribe. The Arapahos joined the Shoshones on the reservation in 1878. Land cessions reduced the reservation to its present size. The Wind River Reservation is the third largest in the nation and the only Native American reservation in the State of Wyoming. The reservation is unique in that it is the only reservation in the United States that encompasses lands chosen by the tribe compelled to live there.

PHYSICAL DESCRIPTION
The heart of the reservation is located in the Wind River Basin, also called the Warm Valley of the Wind River. The Wind River courses through tribal lands and is lined by cottonwood trees. The terrain is rugged and mountainous in parts, with significant forest and grazing lands. Tribal lands extend from the natural spa of Thermopolis through the grasslands and badlands to Dubois.

DRAFT

GOVERNMENT
Both the Shoshones and the Northern Arapahos maintain a general council. These general councils meet about three times a year. The general councils are composed of all tribal members 18 years of age and older. Both the Arapaho and the Shoshone tribes are governed by business councils composed of six members elected to two-year terms. Each business council in turn elects a chairman. Together these 12 members comprise the joint business council of the Shoshone and Northern Arapaho Tribes. The joint business council is directly responsible for the daily activities on jointly owned resources and joint tribal programs. The tribes maintain a police department on the reservation.

INFRASTRUCTURE
U.S Highway 287 provides road access to the Shoshone tribal headquarters at Fort Washakie. Highways 20, 26, and 133 also run through portions of the reservation. The primary waterway is the Wind River, which provides water for the BIA irrigation system as well as for fisheries and recreation.

Commercial air service is available at the Riverton Regional Airport at the southeast corner of the reservation. Commercial bus lines serve Riverton and Lander, just south of reservation boundaries. Commercial truck lines serve Fort Washakie and other parts of the reservation directly.

Electricity - The Rural Electrical Cooperative and Pacific Power and Light provide electricity.

Fuel - An area distributor furnishes natural gas to residential communities, while local companies supply outlying areas with propane.

Water Supply - The reservation maintains its own water and sewer systems, with assistance from the Indian Health Service and federal grants.

Transportation - The tribes have operated a public transit system since 1989 that serves both off-reservation towns and population centers on the reservation. Its main purpose is to enable tribal members to get to and from their jobs. The system is currently supported through federal and tribal subsidies.

COMMUNITY FACILITIES AND SERVICES
The tribes maintain community centers and cultural programs across the reservation.

Education - Tribal youth attend schools in the Fort Washakie School District and the Arapahoe School District. Tribal youth may attend the tribally operated Wyoming Indian High School on the reservation. The curriculum includes traditional academics and a focus on Arapaho and Shoshone cultures and languages. Students may also attend Wind River High School, Lander Valley High School, Riverton High School, or St. Stephen's High School.

Four Winds Charter School opened on the reservation in 2004. A joint venture between the Fort Washakie and Arapahoe school districts, Four Winds is a vocational high school that can serve up to 250 students. The curriculum offers traditional academics, culinary arts, and building trades, with intent to expand.

Health Care - Health care is provided through Public Health Service/Indian Health Service clinics at Fort Washakie and Arapaho. The Shoshone Tribe helps to operate a dialysis center in Lander, 14 miles south of Fort Washakie.

DRAFT

Section 2

Program Review
April 16, 2006

1. Funding of Operations
   The operations are funded by the BIA.

2. Funding of Repairs and Maintenance of Facility Structure
   The repairs and maintenance of the facility are funded by the BIA.

3. Policies and Procedures
   The dispatch and corrections are run from the same location. Officer Ty Williams explained that there are frustrations among the staff regarding what the policies and procedures are compared to what they are taught at the Academy. The white binder for policies and procedures, dated 1996, was available at the facility, but the 39-page addendum could not be located on-site.

4. Staffing
   There are 5 full-time correction officers, all of whom are Academy-trained. They have recently hired one LEA (Law Enforcement Assistant) to assist with the administrative needs of the facility. There is no cook.

5. Programs
   The facility conducts a GED preparation program for the inmates. In addition, mental health evaluations are conducted. The staff, from the White Buffalo-Substance Abuse Program, visits the facility by court order or as needed. The inmates are transported to the White Buffalo Center when ordered by the court. Evaluations are done for the anger management program and the probation officers conduct a blood-alcohol content program at the facility for those inmates who are on probation.

6. Staff Training
   The correction officers reported no staff training, other than the Academy training that they went through when they were hired. They are in the process of providing CPR and first-aid training. The officer reported that they did not know why there is a lack of regular training since it is not due to a shortage of staff.

7. Space for Inmates On-Site
   There is a total of 26 beds in 16 cells. There were 15 inmates on the day of the site visit. This included inmates from the Northern Cheyenne and the Crow facilities. The inmate population peaked to 50 on New Year's Eve, when the facility booked 36 new inmates in a period of eight hours. The

DRAFT

population generally ranges from 35 to 40 inmates on Festival days. Police officers and judges use every available opportunity to let go of arrested individuals for lack of capacity at the detention facility. No juveniles are housed at this facility.

8. Space for Inmates Off-Site
No inmates are housed off-site at this time. Rather, inmates from the Northern Cheyenne and the Crow facilities were housed at this location.

9. Staffing Capacity for the Inmates On-Site
There are five full-time correction officers and one (LEA) law enforcement assistant.

10. Staffing Capacity for Transportation and Escort for Inmates
If available, the detention officers transport and escort the inmates. Otherwise, the corrections staff borrows a patrol officer to transport an inmate. In an emergency, the emergency healthcare center is 16 miles away in Lander. The Indian Health Service is used for routine healthcare, which is available less than five minutes away. The officers also transport juveniles to the boy's school, which is a one-hour drive from the facility. During this drive, the juvenile is escorted by either one detention officer or one detention officer and one patrol officer.

11. Office Supplies for Staff
There are sufficient office supplies for staff at the facility.

12. IT Equipment for Office Use
There are two computers that are in use by the detention officers. The computers use routine Microsoft Word for booking purposes and for the daily logs. There is no special software for booking.

13. IT Equipment for Communications Use
The detention staff is using the dispatch room as the control room at the present time. Thus the dispatch can announce any incoming inmates to the corrections officers. There are sufficient radios that are used while transporting inmates.

14. Personal Supplies for Inmates
There are sufficient personal supplies for the inmates.

15. Uniforms for Staff and Inmates
There are sufficient uniforms for the use of staff. However, they do need extra-large size, black-and-white striped shirts for the inmates and red jumpsuits for use by trustees at the facility.

DRAFT

16. Linen for Inmates
The detention officer reported that there are enough blankets for the present needs. However, the inmates complained of the cold air from the vents in the cell. They requested more than two blankets each.

17. Furniture and Fixtures for Staff and Inmates
The furniture and fixtures for the use of inmates are sufficient. However, the corrections staff requires new chairs and a separate space to house the operations of the corrections staff. They will need additional furniture, fixtures, camera consoles and camera system monitors for their use in the new control room.

18. Transportation Vehicles
The facility uses a Dodge 2002 nine-passenger van. However, this van does not have a barrier between the inmates and the officer. The car-jack and the lug-nut wrench – potential weapons – were freely available to the inmates behind the last passenger seat. A patrol officer's sedan (Chevy Impala) is also used for transportation.

19. Fuel for Vehicles
There is sufficient funding for the fuel used by the vehicles.

20. Utilities for Facility
There are sufficient electricity and natural gas available 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
The original inefficient T12 lamped light fixtures are still in use at the facility. The lighting level is generally adequate.

23. Ongoing Repairs and Maintenance
Repairs are in progress on fixing the door between the booking room and the jail area. One of the sinks has been clogged for a long time. Appropriate requests have been submitted to the facilities staff.

24. Deferred Repairs and Maintenance
1. The move is pending to separate the detention area from the present dispatch room. It is expected that the present laundry room will be changed to serve as the new detention control room.
2. The kitchen sinks have been leaking for an extended period of time.
3. The sewer drains require a filter at the appropriate sewage cleanouts, as well as a thorough clean out. The sewer lines plugged up four times last summer because the inmates flush their towels.

DRAFT

25. Medical Response at the Facility
Minimal medicine box and a first-aid kit are available on site. There is no routine visitation by a healthcare nurse to the site. As such, the inmates are not checked for tuberculosis, hepatitis, HIV or AIDS. Officers dispense medications to the inmates. In an emergency, an ambulance is called from Lander, which is 16 miles away.

26. Booking Process at the Facility
Booking is conducted manually. There is no booking software available for the use of the detention officer. Booking is conducted in an unsecured space without any barrier between the officer and the inmate. The officer has to walk to two separate locations in the facility to bring the uniform and mattress for the inmate while he's waiting in the booking area. The inmate is not constrained and can follow the officer and hurt him from the back in the process.

27. Food Service at the Facility
The kitchen and pantry are well equipped. There is sufficient space for all needs. Kitchen utensils found in unlocked drawers in the kitchen and kitchen knives in unlocked drawers in the propped open pantry could be used as potential weapons against the officers.

Out of a group of eight inmates, one of the inmates reported that he is always hungry. He was seconded by four others. A review was made of the dinner that was to be served that evening. The dinner was to be a pre-prepared boxed frozen food portion of 300 calories supplemented along with two slices of bread and one additional small item. This is insufficient.

28. Kitchen and Dining Staff at the Facility
There is no cook at this time. Detention officers provide the cooking and the cleaning of the kitchen. An opening for the cook is being advertised at this time.

29. Housekeeping Staff at the Facility
Trustees clean the office area and other common areas within the facility, but not the squad room. Inmates clean their own cells and other common areas. The trustees then mop the cells.

30. Repairs and Maintenance Staff at the Facility
The repairs and maintenance are fairly poor because of a lack of response from the facilities maintenance staff. It takes too long (a month or more) once the work order has been placed. There are no routine building checks for repairs and maintenance. Air filters, however, are changed periodically.

31. Inmate Services Provided at the Facility
The inmates are evaluated for mental health. The inmates are also provided with religious services when requested. During our meeting with the inmates on April 16, 2006, Inmate 'Sean' requested a meeting with his Shaman,

DRAFT

'White River', and provided his telephone number to contact him. The request was passed on to Detention Officer Ty Williams for appropriate action. There are no routine checks by a nurse for tuberculosis, hepatitis, HIV or AIDS.

32. Healthcare Assistance in the Community
Healthcare assistance is provided by the Indian Health Service, which is about five minutes away and regular hospital services are provided in Lander, about 16 miles away.

33. Other Support Agencies in the Community
There are no job skills training in the community. Pine Ridge Mental Rehabilitation Facility is provided at the Lander hospital. White Buffalo Substance and Drug Abuse program is available at Fort Washakie. The Boys and Girls Club is available in the community, but suffers from lack of funding.

34. General Reasons for Detention
The general reason for apprehension and detention is violent crime in the community. Inmates are very often charged with more than one offense. Substance abuse manifests as other offenses such as domestic violence, sexual assaults, disorderly behavior and homicide. The detention officers reported that, "...such behavior begins at an early age. It is difficult to keep the kids busy, who generally live in remote areas." The crime rate for this community is 677, 641 and 43,395 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

The detention officers requested: "...well thought-out and organized programs early in the life of a child, so they could have mentors to look up to and to set good examples." They requested mentoring: "...to motivate both the children and the younger generation." They reported that: "...a lot of the native culture is gone." "...There is 60% to 70% unemployment on the reservation. The Arapahos receive a stipend of $140 per person per month and the Shoshones receive a stipend of $325 per person per month. This is enough to get by, but there is a lack of motivation to move forward in life above and beyond, where these children grow. Surprisingly many college graduates return to the reservation. The Native Americans are a proud people, but not humble enough to settle old grudges. This manifests as complications and political issues fairly early in life..."

35. Potentially Harmful Conditions and Behavior of Inmates
There have been suicide attempts in the past. One inmate tried to hit his head on the walls and the drains. One inmate tried to suffocate himself with urine-soaked clothing. Another inmate attempted to drink the chemically soaked mopped water in a cup stored in a hidden place. There have been no attempted hangings at the facility. Inmates are segregated and carefully watched on a 'suicide watch' when such behavior is observed.

DRAFT

36. Accountability and Reporting of Incidents
Incidents are reported on a regular basis in an appropriate manner.

DRAFT

Section 3

Facility Review
April 16, 2006

1. Exterior Site Conditions
The detention building is shared with the patrol officers, dispatch and the court. The exterior site conditions are poor and insecure.

There are only two cameras that monitor the entire exterior of the building. Inmates can easily bolt out from the court, since the two double doors leading out of the court are unsecured.

The vestibule door at the front entrance, leading to the dispatch window, does not lock itself behind, once the general public has entered past the vestibule up to the dispatch window.

2. Exterior Exercise/Recreation Area
The exterior exercise and recreation area is fairly small for the number of inmates. It cannot be used for fire evacuation for lack of space, and lack of sufficient separation from the building. Razor wire has been added since the two earlier escapes, but it is still fairly easy to climb from the windowsill edge and lift oneself to the roof with blankets thrown over the razor wire. Inmates complained that they have not been out for week. One inmate complained that it had been two months (in February 2006) since he was out in the yard. The detention officer noted that they need extra staff personnel to watch over the inmates even with two cameras looking at the recreational area.

3. Exterior Perimeter Security
Only two cameras watch over the entire perimeter of the building. There is no additional security fence to contain the escapees.

4. Sally Port Security
The Sally port is insecure. The Sally port has a rollup door and a door leading to the outside. Patrol officers generally do not like to drive the squad car with the inmate into the Sally port because of the tight left turn that is required to enter and because of a lack of space inside the Sally port. A patrol officer reported that he has damaged his car taking the turn and does leave the squad car outside the Sally port and escorts the inmate. The door can be locked from the outside. However, it is not secured and can very easily be opened from inside the Sally port. In the past, inmates have bolted out from inside the Sally port. Furthermore, it was observed that the dispatch officer propped open the door between the jail and the Sally port with a

DRAFT

garbage container when she went out to smoke, outside the wide open Sally door.

5. Building Interior Security
The interior security of the building is fairly poor. There are few cameras and security is compromised for the detention officers. Cameras have blind spots. The camera monitors inside the dispatch are located such that they are behind and away from the Detention Officer, far in the back and to the side of the Dispatch counter. The Detention Officer is sharing the countertop of the dispatcher at the present time.

6. Building Structure
The building is a slab-on-grade with a block-wall structure built in 1969 with a later renovation.

7. Building Roof
The building has a metal pitched roof with a flat area for the HVAC equipment in the middle. The roof was repaired last year, but that started new leaks because of the use of incorrect roofing. The roof was fixed again, and at the present time there are no leaks. However, the ceiling tiles that were stained need to be replaced.

8. Interior Ceilings
The dispatch area and offices have a drop-in suspended ceiling, while the inmate and kitchen areas have hard ceilings.

9. Interior Walls
The interior walls are block-wall and painted.

10. Interior Flooring
The interior flooring is sheet vinyl in the common areas car door and dispatch. The flooring is painted concrete in the cells.

11. Interior Dormitory Cells
There is sufficient cell space for the number of inmates. Testing was conducted to check the door opening of the cell doors during an emergency. The cell doors can be operated both electrically and mechanically with the controls so arranged that the doors could be opened in case of failure of electrical power. However, during the test four cell doors out of six in the male pod failed to open. One cell door of the two, in block C, failed to open. At the present time inmates cannot be evacuated during an emergency.

12. Interior Isolation Cells
The isolation cell has padded walls. However, inmates still have attempted to commit suicide by hitting their heads against the drain cover.

DRAFT

13. Interior Detoxification Cells
There is sufficient capacity in the detoxification cell. This cell is used for up to four inmates at a time, if the Detention Officer determines that the inmates will be compatible. Otherwise the inmates are segregated. Inmates are moved out from this cell after eight hours of confinement.

14. Booking and Intake Area
Booking is conducted in an unsecured space without any barrier between the officer and the inmate. The officer has to walk to two separate locations in the facility to bring the uniform and mattress for the inmate while he's waiting in the booking area. The inmate is not constrained and can follow the officer and hurt him from the back in the process.

15. Visitation Area
The visitation area is fairly small and insecure. Inmates and visitors could pass contraband material through the screen below the glass barrier. There are no telephones, and no cameras that monitor the visitor or the inmate.

16. Kitchen, Food Preparation and Pantry Area
The kitchen and pantry are adequate for the number of inmates. It was observed that kitchen utensils that could be used as potential weapons such as spoons flippers and other sharp objects are kept in an unlocked drawer in the kitchen. The knives are kept in an unlocked drawer in the pantry. However, the pantry door leading from the kitchen is held ajar with boxes and is constantly open for access from the kitchen.

17. Dining Area
Inmates eat in the common area just outside their individual cells or on a table within the cell in a dormitory space.

18. Day Room Area
There is no day room at the facility. Inmates are provided with a TV and DVD player on a trolley in the common area outside the cells. Two TV channels are available for viewing.

19. Vocational Training Area
There is no vocational training available at this facility.

20. First Aid and Medical Assistance Area
There is no specific medical assistance area at this facility. A first-aid kit is provided. There is no heart defibrillator at the facility.

21. Toilets and Showers
There is adequate hot and cold water at the showers and sinks. However, the toilets do not flush well. Flushing of one toilet forces the waste to bubble up in another toilet. Often, the sewage backs up and produces sewage odor in the common areas.

DRAFT

22. HVAC System
There are two natural gas boilers in the mechanical room and attic mounted air handlers. The intake is located at the rooftop. The controls are provided by Barber-Coleman control units that are located in the mechanical room. The controls are not adjusted or are in disrepair, because the male cell area is always too hot and the female cell area is always too cold. However, at the time of the visit, the supply-air at the male cells was fairly cold (rather than being warm for the temperature at the time) sufficient enough for the inmates to ask for extra blankets.

A professional repairman once explained to the Detention Officer that there is not enough capacity at the air handlers to push the warm air from the heat exchanger at the boiler area, which is located near the male cells, all the way up to the female cells. The log book for the boiler indicated that it is periodically checked. The last check was conducted in the month of March 2006.

23. Plumbing System
The sewer drain backs up whenever several showers and toilets are in use concurrently. Several inmates reported foul smell from the drain in the common area at the men's cell area.

24. Lighting System
There is adequate lighting in the cells and the offices. The original inefficient light fixtures with deep well lamps are still in use.

25. Electrical Power System
The facility is served with a 400 amp, 208 Y/120 V electrical service with fusible disconnects. This is adequate for the present use. A20 KW backup generator is available for standby emergency power. However, generator logs indicated that it was last tested on May 5, 2005 about one year ago. It is unknown if the generator will start should there be an electrical power failure.

26. IT System
The IT system is adequate for the current use. Corrections software is needed.

27. Security System
Security is compromised in several areas:
1. The front entry door, though coded, did not latch by itself once the public has entered in passed the entry vestibule.
2. The Plexiglas barrier between the dispatch and the general public allows for an easy target of the dispatch officer.
3. The personnel door inside the Sally port can be opened from inside the Sally port.

DRAFT

4. Officers do not use the Sally port because of the tight left turn required of the squad car and insufficient space within the Sally port to park and evacuate the inmate.
5. Inmates attending court could easily run away since all doors to the exterior are unlocked.
6. Inmates can use the window ledges and blankets over the razor wire to climb out and escape from the recreational yard.
7. The camera system is inadequate with blind spots and low resolution of the camera monitors.
8. There are only two cameras to provide security coverage around the exterior of the building.
9. The camera monitors inside the dispatch area are behind the Detention Officer and far to one side. The Detention Officer cannot monitor the cameras from his present position, at the shared counter with the dispatch, where he is generally working with two additional monitors from his computers.
10. Kitchen utensils are available in the unlocked kitchen drawers that could be used as potential weapons.
11. Kitchen knives are available in unlocked doors in the pantry, which can be accessed through the open door from the kitchen.

28. Energy Usage and Conservation
There is no energy conservation process set in place at this facility.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress to the recreational yard is unacceptable for lack of space and proximity to the building wall. There are no other secured areas to evacuate the inmates in an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a sprinkler system in the cells and common areas. There are a few smoke detectors. There are insufficient fire extinguishers. There are no records of routine test or maintenance of the fire alarm, fire extinguishers or the fire sprinkler system.

31. Building Access for Staff and Inmates
The general public and staff use the front entrance. Inmates use the Sally port.

32. Hazardous Materials
The building was built in 1969. There are no records of ever having been tested for asbestos, lead paint or mold. There is possible contamination of asbestos in the piping insulation.

33. Handicap Access for Staff and Inmates
The facility does not have any provisions for handicap access for staff or inmates.

DRAFT

34. Potentially Hazardous Elements
None, other than the return air vents on the walls in the inmates cells.

DRAFT

Section 1
Background Information
of the
Taos Pueblo
Served by the Taos Tribal Detention Center

Taos Pueblo[1]
Federal reservation
Tiwa
Taos County, New Mexico

Taos Pueblo
P.O. Box 1846
Taos, NM 87571
505-758-8626
505-758-8831 Fax

Total area (BIA realty, 2004) 96,106.15 acres

Population (2000 census) 4,484
Tribal enrollment (BIA labor report, 2001) 2,443

Total labor force (2000 census) 2,318
Total labor force (BIA labor report, 2001) 1,758
High school graduate or higher (2000 census) 80.5%
Bachelor's degree or higher (2000 census) 23.3%
Unemployment rate (2000 census) 13.7%
Unemployment rate (BIA labor report, 2001) 10%
Per capita income (2000 census) $14,225

DRAFT

LOCATION AND LAND STATUS
Taos Pueblo spans almost one million acres in northern New Mexico. The tribal center is located 3 miles north of the town of Taos and 70 miles north along the Rio Grande from Santa Fe. When the Spanish encountered Taos Pueblo in 1540, it looked much as it does today. Like other Pueblo Indians, the Taos Indians were declared citizens of Mexico when that nation gained its independence from Spain. The United States then confirmed the tribe and its land base under the 1848 Treaty of Guadalupe Hidalgo. In 1996, 764 acres in the Wheeler Park Wilderness were transferred to the tribe. The area includes the Path of Life Trail, which connects the pueblo to the Blue Lake Wilderness. The pueblo is purchasing the 16,000-acre Moreno Ranch.

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

On December 20, 2005, SB279 was enacted into law which amended the Act of June 7, 1924 (43 Stat. 636, chapter 331), which in Sec. 20 extended the jurisdiction of the Taos Pueblo as well as the criminal jurisdiction to the boundaries of the original Spanish Land Grant. The Taos Tribal Detention Center now oversees about one-third more land than earlier and this now includes about half the town of Taos. The Taos Tribal Detention Center is located at an elevation of 7160 feet.

PHYSICAL DESCRIPTION
The pueblo sits in a valley at the base of 13,161-foot Wheeler Peak, the tallest mountain in New Mexico. It is the northernmost New Mexican pueblo. Tribal lands contain 60,947 acres of forests, 242 acres of lakes, and 175 miles of streams. This is a beautifully scenic region that supports ample farming and livestock. The pueblo is organized into various zones: a 54,000-acre wilderness zone, 6,160 acres of religious and ceremonial zones, 10,938 acres of housing and crop land zones, 6,500 acres of commercial zones, 925 acres of recreational zones, and 16,957 acres of range management zones.

CLIMATE
Summer temperatures in Taos average in the 80s, and winter highs are in the 30s and 40s.

GOVERNMENT
Taos Pueblo is a sovereign, self-governed community with a traditional form of government consisting of the tribal council, the Office of the Governor, and the Office of the War Chief. The tribal council is the tribe's highest authority, handling all the pueblo's major concerns, and it consists of more than 50 male members who serve for life. The council's members include important religious leaders and all former governors, lieutenant governors, war chiefs, and lieutenant war chiefs. The tribal council appoints the governor, the war chief, and their staffs, who serve one-year terms of office and handle all the pueblo's day-to-day affairs.

The Governor's Office consists of 10 officials. Their jurisdiction includes the village itself, church matters, the well-being of the pueblo community, law and order, roads, water issues, and primary relations with the non-Indian community.

The 12 staff members in the War Chief's Office have jurisdiction over the land and natural resource base, with the exception of water resources. They are responsible for boundary control, trespass matters, hunting, grazing, and crop control, and they take care of the pueblo's herd of bison, which numbers more than 90 head.

Within this traditional framework, the tribal government established the central management system to manage and administer the pueblo's federal program responsibilities not handled by the Governor or the War Chief.

INFRASTRUCTURE
The pueblo is accessible by Highway 68, which runs north-south through the town of Taos, and Route 240, which runs directly to the reservation. Access to interstate highways include I-25, 75 miles south near Santa Fe, and I-40, 135 miles south in

DRAFT

Albuquerque. The TNM Bus Line runs to and from Taos, Taos Ski Valley, Santa Fe, and Albuquerque. The Taos Municipal Airport is open 24 hours and features a 5,800-foot runway. The nearest commercial train service is in Lamy, New Mexico.

During the last 15 years, electric, water, and sewer utility lines were extended to serve most of the residential areas of the reservation. Extension of natural gas services is under negotiation.

Electricity - The pueblo does not allow electricity within its old village. However, it does have electric service at the Detention Center.

Water Supply - Water is obtained from Taos Creek.

In 2000, the tribe received a joint EPA grant with the Jicarilla Apache Tribe to collaboratively develop solid waste management programs at their respective reservations. The tribal council has approved the development of a waste transfer station near the former landfill site. Indian Health Service will assist in finalizing the project's plans. At this time the waste is connected to the waste services of the town of Taos.

COMMUNITY FACILITIES AND SERVICES

Education - On-reservation education services include a Head Start program, and the K–8 BIA-operated Taos Day School. Both public and private schools in the nearby town of Taos offer K–12 education. Several families elect to board their junior high and high school-aged children at the BIA-operated Santa Fe Indian School. Options for postsecondary education are expanding due to the newly established Taos Campus of the University of New Mexico. The tribe offers a scholarship program for members seeking a postsecondary education.

Health Care - Health services are available through the Taos/Picuris Health Center. The center recently became its own service unit. The center offers medical, dental, health education, nutrition, behavioral health, public health nursing, community diabetes, occupational therapy, contract care, environmental health, and sanitation programs. Special clinics are organized to deal with women's health, diabetes, children, wellness, and other health issues as needed. Other medical facilities include Holy Cross Hospital in the Town of Taos, private physicians, and the Santa Fe Indian Hospital. The Detention Center uses services for inmates from both, the Holy Cross Hospital and the Taos/Picuris Health Center. For emergencies, the 'Life Flight' helicopter can serve from as far away as Albuquerque.

DRAFT

Section 2

Program Review
March 17, 2006

This is only a 72-hour holding facility. Since the judge is available only on Mondays, Tuesdays and Wednesdays, and there is a shortage of detention capacity at this facility and insufficient funding to house inmates off-site, a system of early releases has been worked out for 80% of the inmates. The detention facility was added on to the existing fire station, which still facilitates some of the functions that are required of the detention facility.

1. Funding of Operations
   All funding for operations is derived from the PL 638 program. There is no tribal contribution. Funding amounts to approximately $468,000 which includes all operations and the O and M budget. Funding is not separated between law enforcement and detention at this time. The entire funding approximates $1 million for all law enforcement.

2. Funding of Repairs and Maintenance of Facility Structure
   Funding for the repairs and maintenance of the facility are provided through the PL 638 program.

3. Policies and Procedures
   The BIA manual is referenced as a source of policies and procedures. The chief detention officer, who also serves as the dispatch officer, is working on a set of policies and procedures that are expected to be completed by September 30, 2006. Upon completion, these policies and procedures need to be approved by the governor's office of the Taos Pueblo.

4. Staffing
   There is a shortage of staff of at the facility. There is a total full-time staff of four detention officers, two of whom are certified and the other two are non-certified. The detention officer also serves as the dispatch officer.
   As of December 20, 2005 the physical criminal jurisdiction has increased more than twice the earlier physical area that was served by this law enforcement and detention staff. The physical jurisdiction now includes about half the city of Taos as well as other outlying areas that have collectively created an additional demand for additional staff at the facility. This increasing jurisdiction resulted from Senate Bill 279 that was enacted into law, which was based on Section 1 of the Indian Pueblo Land Act amendment, based on the Act of June 7, 1924 regarding criminal jurisdiction and the jurisdiction of the Pueblo. This change is expected to increase on the population at the detention facility.

DRAFT

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

6. Staff Training
The staff does not receive any additional training besides that at the Academy upon certification.

7. Space for Inmates On-Site
There are two cells at the facility. There is a space for four male inmates and four female inmates on-site.

8. Space for Inmates Off-Site
Inmates often are sent to off-site facilities at the Ute tribal facility which charges $50 per inmate per day or to the county jail which charges $100 per inmate per day. On average there are 26 inmates that need housing per day.

9. Staffing Capacity for the Inmates On-Site
There is one detention officer on duty at any given time. The officers work in 12-hour shifts.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers, with the help of the police officers, provide for the transportation and escort of inmates. Because of a shortage of staff, inmates are often dropped off at the healthcare facility and picked up at a later time.

11. Office Supplies for Staff
There are sufficient office supplies for staff at the facility.

12. IT Equipment for Office Use
There are two computers at the facility which are shared by dispatch, detention and the police officers. The dispatch uses an additional computer at the dispatch/central control station for the detention. The work area for the police officers is the shared kitchen, lunchroom, workroom, intoxilyzer room and storage/cleaning equipment room for the facility.

13. IT Equipment for Communications Use
There is insufficient IT equipment for communications. There is a need for head set/microphone combination set for the detention officer to enable the use of both hands. This officer also serves as the dispatch officer. A new radio antenna was recently installed at the facility.

14. Personal Supplies for Inmates
Families provide personal supplies for the inmates.

15. Uniforms for Staff and Inmates
There are sufficient orange jumpsuits for the inmates in the small and medium sizes. There are insufficient jumpsuits for tall inmates. Four sets of uniforms were ordered two years ago for the detention staff. Uniforms are

DRAFT

not provided for the non-certified staff until they are certified, which could be a long time.

16. Linen for Inmates
Only blankets are provided to the inmates. The blankets are wearing out fast as they are washed after the use by each inmate. Each inmate uses four blankets during the wintertime and two blankets per inmate are used during the summertime.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures are very old but are sufficient at this time.

18. Transportation Vehicles
The facility uses the police units as transportation vehicles for the transportation of inmates.

19. Fuel for Vehicles
At this time there is sufficient fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding for utilities for the facility at this time.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is sufficient hot and cold water at the facility. Only cold water is provided in the cells. The laundry is located in the fire station, as are the storage cabinets for clean uniforms and blankets for the inmates.

22. Adequate Lighting for Inmate and Staff Areas
There is insufficient lighting at the facility. Light fixtures are not vandal-resistant.

23. Ongoing Repairs and Maintenance
There is insufficient funding for ongoing repairs and maintenance. The detention officer provides routine repairs and maintenance at the facility.

24. Deferred Repairs and Maintenance
Repairs are needed for the aging conference table and chairs. The plumbing, water and sanitation systems need to be replaced. The roof needs to be replaced. HVAC ductwork and abandoned flue needs to be appropriately covered. Exposed electrical wiring needs to be routed through appropriate conduits.

25. Medical Response at the Facility
The facility has a small medicine locker and maintains a medicine log for each of the inmates. The detention officer dispenses medications to the inmates. One of the inmates uses 13 separate medications. The inmates generally use diabetic drugs, high blood pressure drugs, drugs for gout, heart

DRAFT

disease, epilepsy and a large number of anti-depression drugs, all of which are dispensed by the detention officer.

26. Booking Process at the Facility
The booking process is inadequate. Inmates are escorted through the corridor to a small window in the corridor at the dispatch/central detention control room. The window has a shallow countertop. A four-page booking form is filled out and the inmate is escorted to the cell.

27. Food Service at the Facility
Lunch food service is provided by the Senior Center located next door and breakfast and dinners are purchased from the local Quality Inn. The detention officer transports all meals to the facility.

28. Kitchen and Dining Staff at the Facility
There is no kitchen at the facility. There is no kitchen or dining staff at the facility.

29. Housekeeping Staff at the Facility
There is one part-time individual who provides housekeeping services on weekdays. The detention staff provides the remaining housekeeping services for the housing area and the dispatch offices.

30. Repairs and Maintenance Staff at the Facility
One part-time individual provides minor repairs and maintenance at the facility. Remaining repairs and maintenance are provided by the detention staff.

31. Inmate Services Provided at the Facility
The detention staff provides the dispensing of medication services at the facility.

32. Healthcare Assistance in the Community
The Indian Health Services provides healthcare assistance in the community.

33. Other Support Agencies in the Community
Community services that are available to the inmates include drug and alcohol recovery program and the Indian Health Services program.

34. General Reasons for detention
The general reason for apprehension and detention is violent crime in the community. Abuse of cocaine is now prevalent in the community.

35. Potentially Harmful Conditions and Behavior of Inmates
Exposed plumbing and electrical wiring combined with articles of clothing can lead inmates to harm themselves.

36. Accountability and Reporting of Incidents
All incidents are reported to the Pueblo and the BIA.

DRAFT

Section 3

Facility Review
March 17, 2006

1. Exterior Site Conditions
   Exterior site conditions are fairly poor. The facility is located off the main unpaved road which is very dusty in the summer and muddy in the winter. The footprint of the facility is several inches below the surrounding area and as such accumulated runoff and snowmelt off from the surrounding area penetrates the building, which creates a slippery and unsafe condition as inmates are transported in and out of the facility.

2. Exterior Exercise/Recreation Area
   There is no exterior exercise/recreation area for the inmates. Inmates are escorted out of the facility to a wooden bench on the entrance patio which serves as the day room and/or the exercise and recreation area. This space is unsecured.

3. Exterior Perimeter Security
   There is no exterior security around the perimeter of the facility. There are no cameras that cover the perimeter other than the entrance door at the facility.

4. Sally Port Security
   There is no Sally port or any fenced enclosure that may serve as a Sally port. Inmates are dropped off and picked up at the second corridor door at the front entrance.

5. Building Interior Security
   Interior security of the building is adequate. Three cameras provide monitoring at the dispatch which also serves as the central control station for the detention officer.

6. Building Structure
   The detention facility is an add-on to an original fire station at this site. The original fire station is still in use. The law enforcement facility and the lunchroom/workroom were added later. The three combined add-on facilities have been detrimental to a unified envelope for the structure. The roof leaks at the two joints and is causing continuous damage.
   The structure is a block wall construction with slab-on-grade. The exterior is finished with plaster to resemble an adobe structure.

7. Building Roof
   The building roof is in disrepair. A new roof is needed.

DRAFT

8. Interior Ceilings
Interior ceilings are adequate. Six stained ceiling tiles need to be replaced.

9. Interior Walls
Interior walls are of block-wall construction.

10. Interior Flooring
Interior floorings consist of painted concrete in the housing area and VCT flooring in the corridors and offices.

11. Interior Dormitory Cells
Interior dormitory cells are adequate.

12. Interior Isolation Cells
There are no interior isolation cells. The dormitory cell serves as an isolation cell if it is vacant.

13. Interior Detoxification Cells
There are no interior detoxification cells. The dormitory cell serves as a detoxification cell if it is vacant.

14. Booking and Intake Area
The booking and intake area is the main corridor that leads from the exterior to the inmates' cells. Booking is conducted at the window in the corridor which is shared by the central control station and the corridor.

15. Visitation Area
There is no visitation area for any visitors.

16. Kitchen, Food Preparation and Pantry Area
There is no kitchen, food preparation or pantry area at the facility.

17. Dining Area
There is no dining area at the facility. Inmates eat in their cells.

18. Day Room Area
There is no day room at the facility. Inmates are provided outdoor time on the wooden bench located at the front entrance patio.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no first aid and medical assistance area at the facility.

DRAFT

21. Toilets and Showers
A combination sink-toilet sink unit is provided in each dormitory cell. A common shower stall is provided for the use of all inmates. The facilities are inadequate for the number of inmates at a given time.

22. HVAC System
The HVAC system provides sufficient cooling and heating. Exposed ductwork and an abandoned flue need to be repaired and covered.

23. Plumbing System
The plumbing system is in disrepair. A new hot-water tank and appropriate hot and cold water lines need to replace the existing plastic lines. The water and sanitation lines need to be replaced.

24. Lighting System
The lighting system is inadequate. New and appropriately rated light fixtures and electrical distribution is needed.

25. Electrical Power System
A 200 amps single phase service was installed in August of 2005. There is sufficient electrical power for the use of the facility. An emergency backup generator is needed. A battery-backed emergency light fixture is located in the corridor but it is uncertain if it has ever been tested.

26. IT System
The IT system is adequate. The detention/dispatch uses one computer station for the routine duties. However, the detention facility needs access to the Internet.

27. Security System
The security system is inadequate. Additional cameras for interior and exterior security are needed. Appropriate fencing is needed to create a staging and evacuation area in case of an emergency.

28. Energy Usage and Conservation
The facility does not provide energy conservation at this time. The facility requires weatherization at all doors and windows.

29. Fire Egress – Exterior and/or Secured Areas
The facility does not have signage for fire egress except for exit signs on the door. No fire drills are conducted because of a shortage of staff. The facility does not have a secure staging area in case of an evacuation during an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
The facility has one fire extinguisher and one local smoke detector, but it does not have either a fire alarm system or a sprinkler system. The facility is

DRAFT

located in the same building and adjacent to the fire station and does have access to two fire trucks.

31. Building Access for Staff and Inmates
The detention staff enters through the main entrance while the inmates are escorted through the corridor door which is also located at the front entrance.

32. Hazardous Materials
The facility was added-on in 1987 at which time hazardous material such as asbestos and lead paint were not in use.

33. Handicap Access for Staff and Inmates
There are no provisions for access by staff, visitors or inmates who are disabled.

34. Potentially Hazardous Elements
Exposed plumbing and electrical wiring combined with articles of clothing can lead inmates to harm themselves. Inmates are also susceptible to inappropriate doses of prescription medications that are not monitored by a medical staff.

DRAFT

Section 1

Background Information
of the
Laguna and Acoma Pueblos
Served by the Laguna Tribal Detention Center

Laguna Pueblo[1]
Federal reservation
Keresan
Valencia, Bernalillo, and Sandoval counties, New Mexico

Pueblo of Laguna
P.O. Box 194
Laguna, NM 87026
505-552-6654
505-552-6941 Fax

Total area (BIA realty, 2004) 495,442.66 acres

Total population (2000 census) 3,815
Tribal membership (BIA, 2001) 7,825

Total labor force (2000 census) 1,288
Total labor force (BIA, 2001) 3,393
High school graduate or higher (2000 census) 79.4%
Bachelor's degree or higher (2000 census) 7.5%
Unemployment rate (2000 census) 16.1%
Per capita income (2000 census) $8,773

LOCATION AND LAND STATUS
The Laguna Pueblo is located about 45 miles west of Albuquerque in west-central New Mexico. The pueblo consists of six separate villages located along the Rio San Jose Valley: Laguna/Old Laguna, Encinal, Mesita, Paguate, Paraje (Casa Blanca), and Seama. Reservation lands total 533,000 acres in three locations, with the two smaller segments situated southwest and northwest of the main reservation.

The Village of Old Laguna was originally recognized through Spanish land grants in 1699, while studies suggest habitation well before this date. Acts of Congress in 1858 and 1869 confirmed the original Spanish land grants of all the existing New Mexico pueblos except

[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.

for Laguna and Zuni. Laguna Pueblo's land grant was not officially confirmed and patented until November 7, 1906.

PHYSICAL DESCRIPTION
The land is semiarid and marked by buttes, mountains, and high desert terrain. Elevations range from just over 5,000 feet at the junction of the Rio Puerco and Rio San Jose, to a high of nearly 8,500 feet at the foothills of Mt. Taylor. The Detention Center is located at an elevation of 5814 feet.

GOVERNMENT
The Pueblo of Laguna's constitution was adopted in revised form in 1958 following the Indian Reorganization Act. The constitution was revised again in 1982. The tribal government consists of a 21-member council, composed of two members elected from each village and nine staff members elected at large. Terms of office are staggered, each member serving a two-year term. The council members include a governor, first lieutenant governor, second lieutenant governor, head 'fiscale', second 'fiscale', treasurer, secretary, and interpreter. The council holds meetings weekly. Additionally, each village holds a weekly meeting to determine its position on upcoming council decisions. All men 18 years of age and over are required to attend village meetings and functions. The tribal government also maintains its own judicial system. Tribal headquarters are located in Old Laguna.

INFRASTRUCTURE
Interstate 40 and the old Route 66 pass east-west through the reservation. The tribal roads department maintains the secondary roads on the reservation. Commercial air service is available at Albuquerque International Sunport, 45 miles to the east. Numerous commercial truck lines serve the reservation directly. The Santa Fe Railroad has a currently unused rail spur in the Village of Laguna, while the company offers commercial rail service in Albuquerque. Commercial bus service is available in Grants, 30 miles to the west.

Electricity - Continental Divide Electric Cooperative in Grants, New Mexico, provides electricity.

Fuel - Union Gas Company provides gas service to the reservation.

Water Supply - The tribe maintains its own water and sewer system.

Telecommunications - The reservation receives radio, television, and cable services out of Albuquerque.

COMMUNITY FACILITIES AND SERVICES
The community center and tribal offices are located in the Village of Old Laguna.

Education - Laguna Pueblo has its own department of education, created in 1992, and operates Head Start and daycare programs. The pueblo hosts the Laguna Elementary School (run by the BIA) and a newly built junior high school. Older students attend the Laguna-Acoma High School, which is operated by Cibola County. The Laguna Higher Education program assists eligible Laguna students pursuing postsecondary degrees at accredited

DRAFT

institutions, as well as those pursuing certification at vocational schools. The pueblo also has a scholarship program to serve its members.

Health Care - The Acoma-Cañoncito-Laguna Hospital furnishes local health care. The Laguna Rainbow Center provides long-term care for the tribe's elderly.

DRAFT

Acoma Pueblo[2]
Federal reservation
Keresan
Cibola County, New Mexico

Pueblo of Acoma
P.O. Box 309
Acomita, NM 87034
505-552-6604
505-552-7204 Fax

Total area (BIA realty, 2004) 378,262.41 acres

Population (2000 census) 2,802
Tribal enrollment (Tribal source, 2004) 4,754
Tribal enrollment (2000 census) 2,802

Total labor force (2000 census) 793
Total labor force (BIA, 2001) 1,394
High school graduate or higher (2000 census) 73%
Bachelor's degree or higher (2000 census) 8.5%
Per capita income (2000 census) $8,794

LOCATION AND LAND STATUS
The Pueblo of Acoma is located in the northwest corner of Cibola County, New Mexico. The pueblo is 120 miles from Santa Fe, 56 miles west of Albuquerque, and 15 miles east of Grants. Adjacent to the Pueblo of Laguna, the reservation spans approximately 448,037 acres. Most of the reservation lies south of I-40 between Grants and Albuquerque. The reservation includes the villages of Acomita, McCartys, Shutivaville, Anzac, and Old Acoma.

Old Acoma, or Haaku, often referred to as "Sky City" by Americans, lies atop a 365-foot mesa above the surrounding valley of sparse, dry farmland with its mixture of piñon and juniper growth. The original pueblo consists of 250 dwellings, none of which have running water or sewer service. Fewer than 50 families continue to reside in Old Acoma.

The Spanish made the original land grant to the Pueblo of Acoma on September 20, 1689. President Hayes confirmed the grant by a patent, which was issued on November 19, 1877.

CLIMATE
The area receives about 9.58 inches of precipitation each year with an average temperature range of 76°F in summer and 35°F in winter.

DRAFT

[2] 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.

GOVERNMENT
The Pueblo of Acoma is governed by a 12-member tribal council and 5 tribal administrative officers. The tribal governor, first and second lieutenant governors, tribal secretary, and tribal interpreter constitute the tribal administration. The Acoma Tribal Administration and the Acoma Tribal Council are appointed through a traditional, cultural leadership process.

In 1863 President Lincoln presented a silver-headed cane to Acoma and several other pueblo groups in New Mexico in recognition of their political and legal right to land and self-government. Traditionally, the governors of each pueblo keep their cane as a symbol of their authority during their terms of office. Although the tribe is organized under the Indian Reorganization Act of 1934, Pueblo of Acoma chose not to adopt a constitution or charter. Acoma's traditional government serves as a stabilizing force for the community.

The Pueblo of Acoma has an established tribal court system with an independent and separate trial court. The tribal council currently serves as the appellate court. The Pueblo of Acoma is a member of the recently constituted Southwest Inter-Tribal Court of Appeals. The pueblo has adopted a business property tax and a gaming ordinance, which regulate business development for the Sky City Junction.

INFRASTRUCTURE
The pueblo is traversed by I-40. An international airport is located in Albuquerque about 60 miles to the east. Greyhound and Trailways bus companies serve the region, as do UPS and FedEx. Passenger rail service is available in Albuquerque.

Electricity - The Continental Divide Electric Cooperative supplies electricity to the reservation.

Fuel - The Gas Company of New Mexico provides gas service.

Water Supply - The tribe maintains two standard lagoon sewage systems. Recent construction of an extended aeration wastewater treatment plant on the eastern part of the reservation improved the existing system.

Telecommunications - Tribal members have access to cable television service and three local radio stations.

COMMUNITY FACILITIES AND SERVICES
Education - Educational opportunities available on pueblo lands include the Sky City Community School operated by the BIA, and the Haaku Learning Center which is a preschool education facility owned and operated by the pueblo. Acoma students also attend Cubero Elementary School, Los Alamitos Middle School, Laguna-Acoma High School, Grants High School, Santa Fe Indian School, and private schools, all of which are off the reservation. There are many postsecondary education institutions located off the reservation that serve Acoma students. Some postsecondary education students attend the Grants branch of New Mexico State University, which offers vocational and technical training.

Health Care - The Acoma-Canoncito-Laguna Hospital provides health care to tribal members from Acoma, the Pueblo of Laguna, and the Canoncito Band of Navajos. A

DRAFT

dialysis center is located adjacent to the Acoma-Canoncito Laguna Hospital that serves members from the three tribes.

DRAFT

Section 2

Program Review
March 8, 2006

1. Funding of Operations
   Funding is pooled into a common fund which is contributed both by the tribe as well as the BIA. Additional details could not be ascertained.

2. Funding of Repairs and Maintenance of Facility Structure
   Funds for the operation and maintenance of the facility are separate.

3. Policies and Procedures
   There are no specific policies and procedures for the facility.

4. Staffing
   There are five full-time officers and one part-time officer. Six officers on 12-hour shifts support an average population of 30 inmates. On the day of the visit, there were 23 inmates who were supervised by three officers.

5. Programs
   The facility assists the inmates to achieve the GED diplomas through the Partners in Success program. A number of community resources are available to the inmates during and after incarceration.

6. Staff Training
   Staff training could not be determined.

7. Space for Inmates On-Site
   There is a total space for 30 beds of which three beds are unusable at this time. One of the juvenile cells is out of operation and the police use two cells for storage.

8. Space for Inmates Off-Site
   Inmates are routinely sent off-site for lack of space at the facility. Juveniles are sent off-site since juveniles are not housed at this facility.

9. Staffing Capacity for the Inmates On-Site
   There is a total capacity of three officers per 12-hour shift for an average inmate population of 30. Routinely officers put in more time as a result of holidays, sick days and other unplanned contingencies that may arise leading the staff shorthanded. Salaried officers put in an extra 12 hours per week and hourly officers put in five to nine hours per week of additional time beyond the structured shift time. In addition officers also volunteer for cleanup duties and the transportation of trash.

DRAFT

10. Staffing Capacity for Transportation and Escort for Inmates
Detention officers also provide for the transportation and escort of inmates for healthcare needs and transportation to other facilities.

11. Office Supplies for Staff
There is insufficient funding for office supplies for the staff. Routinely, staff use personal funds to purchase office supplies.

12. IT Equipment for Office Use
There is sufficient IT equipment for routine use in the offices.

13. IT Equipment for Communications Use
There is sufficient IT equipment for communications at the facility.

14. Personal Supplies for Inmates
There is insufficient funding for the personal supplies for inmates. The church and families provide for such needs.

15. Uniforms for Staff and Inmates
There is insufficient funding for uniforms for the staff or inmates. The staff provides for their own uniforms through their personal funds.

16. Linen for Inmates
There is insufficient funding for blankets. The families of the inmates generally provide blankets and other essentials for inmates.

17. Furniture and Fixtures for Staff and Inmates
The staff and inmates make do with old furniture. There is no institutional furniture for the inmates. The facility operates as a rehabilitation facility, which it was, prior to being converted to a detention facility.

18. Transportation Vehicles
Patrol cars are used to transport inmates.

19. Fuel for Vehicles
There is sufficient funding for fuel for the vehicles.

20. Utilities for Facility
There is sufficient funding for the utilities for the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
Hot and cold water are available at the kitchen and the showers. There is no hot water at the laundry.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas.

DRAFT

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at the facility at this time.

24. Deferred Repairs and Maintenance
The building was designed and built in 1973 as a rehabilitation center and was converted to a detention facility later.
The plumbing system needs to be replaced at the facility.
The facility needs repairs for the roof.
An appropriate control room with proper monitoring for the cameras is needed for the detention staff.
Appropriate locks are needed to secure the building.
Appropriate insulation and weatherization for the entire building are needed.
New ceilings are needed throughout the facility.
New controls are needed for the HVAC system.
Additional cameras are needed to provide sufficient coverage both, inside and outside the building.
Provisions need to be made for the staff, visitors and inmates who are disabled.

25. Medical Response at the Facility
Minimal medical response is provided at the facility. Inmates are transported to the local healthcare clinic by the detention officers. Depending on the physical time that is required for healthcare, the detention officers leave the inmates at the healthcare facility to be retrieved at a later time when the inmate is ready to return to the detention facility.

26. Booking Process at the facility
Inmates are escorted through the side door and into the hallway where a window with a countertop serves as the booking station.

27. Food Service at the Facility
Food service is adequate at the facility.

28. Kitchen and Dining Staff at the Facility
A cook serves as the kitchen and dining staff at the facility. The cook is assisted by the inmate trustees.

29. Housekeeping Staff at the Facility
Housekeeping is performed by the staff and inmates.

30. Repairs and Maintenance Staff at the Facility
Repairs and maintenance staff is shared by other facilities. Routine repairs are not performed in a timely manner.

31. Inmate Services Provided at the Facility
The facility provides assistance to the inmates with a GED diploma.

DRAFT

32. Healthcare Assistance in the Community
The ACL - Acoma-Canoncito-Laguna Health Center (Public Health Services - PHS) provides behavioral health counseling and medical assistance to sick inmates.

33. Other Support Agencies in the Community
These community-based support programs are available for the use by the inmates during incarceration and after incarceration. These programs include the following:
The Laguna Services Center provides alcohol assessment, mental behavior assessment, alcohol and drug counseling and a DUI school.
The Family Services Center provides domestic abuse counseling, family enrichment counseling and parenting classes.
The Partners for Success program provides assistance with a GED program as well as assistance with job-search programs.
The Vocational Rehabilitation Program provides vocational training in the culinary arts and auto mechanics.
The Social Services Program provides assistance to children and assistance with finance to families until they can support themselves.

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 153, 1018 and 16,489 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates may harm themselves by using the surface-mounted sprinkler system in combination with articles of clothing and strings available in the shower stalls.

36. Accountability and Reporting of Incidents
Incidents are reported at a local level.

DRAFT

Section 3

Facility Review
March 8, 2006

1. Exterior Site Conditions
   Exterior site condition is adequate. The facility is a public building and accessible to the general public. However, the general public does not have access to do the exterior walls and windows of the individual cells.

2. Exterior Exercise/Recreation Area
   The exterior exercise/recreation area is adequate. This area also serves as the fenced area for the use as a Sally port and a secure space for delivery trucks making deliveries to the kitchen.
   The area is enclosed with the chain-link fence topped with barbed wire and razor wire.

3. Exterior Perimeter Security
   The exterior perimeter security is adequate. Fixed cameras monitor about half the perimeter of the facility, and only that which is accessible to the inmates.

4. Sally Port Security
   There is no specific Sally port at the facility. The fenced area used for exercise/recreation is also used for a Sally port. Inmates are escorted through the side door at one end of the central corridor up to the booking window.

5. Building Interior Security
   There is minimal interior security within the building. The system of fixed-view cameras has been recently installed to monitor part of the interiors of the building. The camera monitors are at the central dispatch located within the building.

6. Building Structure
   The building consists of slab-on-grade, block-wall construction with an adobe façade. The structure appears to be in good condition for a 33-year-old building.

7. Building Roof
   The building roof needs repairs.

8. Interior Ceilings
   Entire interior ceilings are in disrepair. The ceilings have not been replaced as damage occurred resulting from age or roof leaks for the past 33 years.

9. Interior Walls
   The interior walls are of block-wall construction in the detention area.

DRAFT

10. Interior Flooring
The interior flooring consists of vinyl tile and painted concrete slab. The flooring is in disrepair.

11. Interior Dormitory Cells
There are two dormitory clusters, one for the male inmates and one for the female inmates. Each dormitory cluster can house up to 12 inmates, housed in three cells, each containing four inmates.

12. Interior Isolation Cells
There is one interior segregation cell each, for the use of male and female inmates.

13. Interior Detoxification Cells
There is one interior detoxification cell each, for the use of male and female inmates.

14. Booking and Intake Area
The intake area is the extension of the central corridor where inmates are escorted through the side door. Booking is conducted at the window with a countertop in this corridor.

15. Visitation Area
There is no specific space for visitation at the facility. All visitors enter through the public entrance up to the police public counter where the police summon the detention officer.

16. Kitchen, Food Preparation and Pantry Area
The kitchen and food preparation area is adequate. The pantry is created within the dining space using temporary partitioning walls. This space is unsecured.

17. Dining Area
The dining area is adjacent to the kitchen. This area also serves as the day room, meeting room for attorneys and their clients and the vocational training area.

18. Day Room Area
There is no specific day room at the facility. A small open space with a TV set outside each of the dormitories serves as a day room for the male and the female inmates.

19. Vocational Training Area
A small space within the dining area is set aside with two computer stations that serve as the vocational training area for the inmates.

20. First Aid and Medical Assistance Area
There is no specific first aid and medical assistance area at the facility.

DRAFT

21. Toilets and Showers
Toilets and showers are in disrepair. There is a combination of stainless steel toilets and sink combination units and porcelain sinks and toilets all of which are in disrepair. Roughly half of these units are in operation at this time.

22. HVAC System
The HVAC system is inadequate to serve the space. HVAC controls need to be repaired and the building needs to be weatherized to provide adequate heating and cooling.

23. Plumbing System
The plumbing system is in disrepair. The non-accessible plumbing system needs to be replaced with an alternate system of sanitation and water piping.

24. Lighting System
The lighting system is adequate.

25. Electrical Power System
The electrical power system is adequate. There is no backup emergency generator. Emergency egress lighting is provided only in the central corridor.

26. IT System
The IT system is adequate.

27. Security System
The security system is inadequate. Doors need to be secured with appropriate locks and additional cameras need to be provided. The security systems need to be integrated at the detention control station rather than the police dispatch.

28. Energy Usage and Conservation
There is no awareness for energy usage and conservation at the facility. Several windows have large enough cracks to feel an air draft. Other windows are sealed with a plastic covering to prevent air drafts. The central heating is kept at high temperature to offset the penetrating cool air from outside.

29. Fire Egress – Exterior and/or Secured Areas
Fire egress is inadequate. The physical distance for egress from the cells is excessive. Only one of the two doors in the corridor is equipped with panic hardware. The other door is padlocked with a commercial padlock. Because of the deep interior pods that provide housing, the physical space cannot be evacuated in three minutes in an emergency. There is no secure space at a sufficient distance from the building, to stage the evacuated inmates.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
Fire-life-safety systems are minimal at the facility. A retrofitted surface-mounted sprinkler system is installed at the facility. A smoke detector and a fire extinguisher were noticed at the facility. No records were found for the periodic testing for any of the life safety systems.

DRAFT

31. Building Access for Staff and Inmates
The staff accesses the building through the front entrance. Inmates are escorted through the side entrance.

32. Hazardous Materials
The building was built at a time when the use of asbestos and lead was prevalent in construction. A survey for hazardous materials was conducted at one time, but no test reports were found and there were no records if abatement was performed at the facility.

33. Handicap Access for Staff and Inmates
There are no provisions at the facility for appropriate access by staff, inmates or visitors who are disabled.

34. Potentially Hazardous Elements
Inmates may harm themselves by using the surface-mounted sprinkler system in combination with articles of clothing and strings available in the shower stalls.

DRAFT

Section 1

Background Information
of the
Colorado River Indian Tribes Reservation
Served by the Colorado River Tribal Detention Center

Colorado River Indian Tribes Reservation[1]
Federal reservation
Chemehuevi, Hopi, Mohave, and Navajo
La Paz County, Arizona; San Bernardino and Riverside counties, California

Colorado River Indian Tribes Reservation
Route 1, Box 23-B
Parker, AZ 85344
928-669-9211
928-669-1391 Fax
Web site: itcaonline.com/tribes_colriver.html

Tribally owned lands (Tribal source) 269,921 acres

Population (2000 census) 7,466
Tribal enrollment (Tribal source) 3,595

Total labor force 3,252
High school graduate or higher 61.8%
Bachelor's degree or higher 9.6%
Unemployment rate 5.9%

LOCATION AND LAND STATUS
The Colorado River Indian Reservation is a federal reserve established on March 3, 1865, for the "Indians of said river and its tributaries." Reservation lands include almost 270,000 acres along both sides of the Colorado River between Parker, Arizona, and Blythe, California. The largest portion of land, consisting of 225,996 acres, is located in La Paz County, Arizona, and 42,696 acres are in San Bernardino and Riverside counties, California.

PHYSICAL DESCRIPTION
Most of the territory is characterized as low, arid desert land; however, the 45-mile corridor adjacent to the Colorado River is rich, loamy, fertile river-bottom land. Parker,

[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.

DRAFT

Arizona, is located at 425 feet above sea level; the median elevation for the reservation is 413 feet.

CLIMATE

The climate for most of the entire region encompassing the CRIT reservation is that of extremely hot, dry desert. The year-round temperature averages 70°F, with summertime highs averaging well above 100°F and winter lows seldom dropping below 35°F. The highest recorded temperature at Parker, Arizona is 127°F, while the lowest ever recorded is 9°F. The area receives approximately five inches precipitation per year.

GOVERNMENT

On August 13, 1937, voting members of the CRIT approved the Indian Reorganization Act of 1934 and adopted a constitution and bylaws for governing the tribes. Jay Gould, a Mohave, was elected as the first tribal chairman on September 18, 1937. They are governed by a tribal chairman, a vice-chairman, a secretary, a treasurer, and five members, serving four-year terms. There are currently 28 departments within the tribal administration. There is also a committee system to assist the council with special needs; committee members are appointed by the council for two- or four-year terms. There are ten permanent committees, five boards, and one commission. The tribes, under PL-638, contract with the Bureau of Indian Affairs to administer key programs and services.

INFRASTRUCTURE

The reservation is adjacent to Interstate 10, which runs along its southern border. There are train, bus, and truck services available in the town of Parker on the reservation. Commercial air service is available 60 miles away in Blythe, California, and nearby at the regional Avi Suquilla Airport facility, where there is a lighted, 4,782-foot lighted, paved runway, UNICOM radio, and fuel. It is conveniently located adjacent to Interstate 95.

Electricity – The Arizona Public Service Company supplies electricity to Parker and other parts of the reservation.

Fuel – Southwest Gas Corporation provides natural gas.

The BIA/CRIT power distribution system, known as the Headgate Rock Hydroelectric Power Plant, provides electricity to the reservation and surrounding area. It was rehabilitated in the late 1990s to integrate19, 500 kilowatts of hydroelectric power into the power system, since the tribes have senior water rights to 717,000 acre-feet of the Colorado River, which is almost one-third of the allotment for the entire state of Arizona. Income from sales of electricity by CRIT Utilities and increased conservation by power customers is repaying plant construction costs. The tribe is currently working on an agreement with the Bureau of Indian Affairs and the Bureau of Reclamation to take over this power plant in 2005. Water and sewer services are provided by the tribally owned and operated CRIT Regional Water System.

DRAFT

COMMUNITY FACILITIES AND SERVICES
Public Safety – CRIT has its own police force and utilizes a volunteer fire department.

Education – All students, except for a few boarding-school students, attend public schools in the area. A number of students attend off-reservation institutions of higher education. There are plans to build two new schools at Parker and La Pera.

Cultural Research Library-Museum-Archive – This facility is open to the public and located in the Tribal Administrative Center It consists of two gymnasiums, two parks, two baseball diamonds, fairgrounds, a community center, a senior park, rodeo grounds, a marina with a trailer park, beaches, cabanas, and a picnic area. There is a Senior Citizen Center as well.

Health Care – There is a 20-bed hospital in Parker, operated by the Indian Health Service, which features a laboratory and full x-ray and emergency room facilities. CRIT provides outpatient mental health services, a community health representative, and outpatient and residential alcohol services to Indian people on the reservation. There are additional hospitals in Yuma, Arizona, 125 miles south of Parker.

DRAFT

Section 2

Program Review
June 6, 2006

The facility is 6018 square feet that was built in 1996. Dispatch and adult detention share space within the building. The facility was originally built to house both adult and juvenile inmates.

1. Funding of Operations
   Funding for operations is provided by a combination of the PL 638 funds and a contribution from the tribe. The PL 638 funds in the amount of $900,081.91 were used for the first six months. These funds were added to the contribution by the tribe which is roughly an equal amount and is used for the last six months of the fiscal year.
   Operations for law and order amounted to $735,299.00. Operating expenses amounted to $33,266.09, with an unfunded deficit of $94,385.21 for a total of $127,651.30. A supplementary funding was received in the amount of $54,000 which was applied towards the unfunded deficit. The PL 638 contract is due for renewal in January 2007. Funds for the detention are not separately accounted for.

2. Funding of Repairs and Maintenance of Facility Structure
   The facility was built in 1996 and is owned and operated by the tribe. It could not be determined if funding for repairs and maintenance for the facility are separately accounted for. The detention officer reported that there is no staff for the repairs and maintenance and there is no funding for the repairs and maintenance of the facility.

3. Policies and Procedures
   The policies and procedures at the facility are developed using the BIA guidelines and have been in place since 1997. These are updated every year. An FTO manual is being prepared at this time.

4. Staffing
   There are 12 full-time detention officers, only five of whom are certified. The remaining officers have been employed for less than one year. Two officers are awaiting acceptance at the training academy. There is an insufficient number of officers for the number of inmates at this facility. The facility uses 12-hour shifts and three officers are on duty at any given time on each shift. Two officers supervise the adults and one officer is assigned to the juvenile facility which is located across the fence and adjacent to this facility. Of the two officers, only one officer is at the central control station at any given time.

DRAFT

5. Programs
Because of lack of space, there are no programs that are conducted for the benefit of the inmates at this facility.

6. Staff Training
The detention officers reported that it has been difficult for the officers to be accepted at the BIA Academy in Artesia. The facility is working with the State C.O.D.A program. There is a high turnover of officers at this facility because of competitive wages in the area. The starting salaries for detention officers at the state prison in Blythe, 50 miles away, is between $34,000 to $36,000 and more per year compared to $24,000 per year at this facility. Officers often leave before they get a chance to go to training at this facility. This facility provides no incentives for taking on more responsibility for developing a career in law enforcement. A senior officer at this facility who has provided 17 years of continuous service has been provided with cost-of-living increases only.

7. Space for Inmates On-Site
There are 36 beds on-site. There were 26 inmates on the day of the visit. The inmate population would be in the range of 75 to 100 inmates on an average if the negotiated releases are accounted for. The maximum number of inmates peaked on Memorial Day at 46 after negotiating releases. 85% to 90% of the inmates who are released are booked back at the facility within a week. One inmate who is 21 years old now and is presently incarcerated has been in and out of this facility since he was nine years old.

8. Space for Inmates Off-Site
Inmates are not sent off-site.

9. Staffing Capacity for the Inmates On-Site
There is a shortage of staff to serve the number of inmates that are housed at this facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide the transportation and escort for the inmates to the court and the healthcare facility.

11. Office Supplies for Staff
There are sufficient office supplies for the staff.

12. IT Equipment for Office Use
The existing IT equipment is five years old. There is a need for two computer stations with monitors and software.

13. IT Equipment for Communications Use
There is sufficient IT equipment for the use in communications. This consists of seven radios that are alternated so that three radios are used and the remaining ones are charged during the shift.

DRAFT

14. Personal supplies for Inmates
There are insufficient funds for the personal supplies and food for the inmates. Families bring in supplies and the churches donate items such as food supplies and shampoos. There is also a system of an 'on-line commissary' where each inmate is provided with a commissary account that is funded by the families. The inmates then order food and supplies by filling in a preprinted order form. The order form is processed by the detention officers, through an online ordering system. The orders are filled by a vendor and are shipped to the facility through UPS.

15. Uniforms for Staff and Inmates
There is insufficient funding for uniforms for the staff and inmates. The detention officers reported that they would rather purchase food for the inmates than uniforms. There is a need for 80 uniforms for the inmates. Each uniform is priced at $65.

16. Linen for Inmates
There is insufficient funding for mattresses and blankets. The mattresses and the blankets have been worn down with continuous use. The blankets were replaced two years ago; however, at this time all the mattresses need to be replaced. There is a need for 50 mattresses. Each mattress is priced at $125.

17. Furniture and Fixtures for Staff and Inmates
The furniture and fixtures for the staff and inmates have been in continuous use for the past 10 years and are in disrepair. There is a need for chairs, booking desk and institutional furniture for dining.

18. Transportation Vehicles
The facility uses a transportation vehicle that is in good repair and has a transportation cage.

19. Fuel for Vehicles
There is insufficient funding for fuel. Fuel for the patrol cars is provided as a priority rather than the transportation vehicle that is used by detention. These patrol cars patrol an area that spans 1250 square miles or roughly a distance that is 50 miles long by 25 miles wide.

20. Utilities for Facility
There is sufficient funding to provide for utilities of this building, the courts and probation building. The expenses for utilities are $60,000 per year.

21. Hot and Cold Water for Kitchen, Laundry and Showers
There is insufficient hot water at the cells. There is sufficient hot and cold water at the kitchen and laundry.

DRAFT

22. Adequate Lighting for Inmate and Staff Areas
There is inadequate lighting for the inmate areas. Since there is no night-light in the fluorescent lighting fixtures, portable clip-on lights are provided in each cell. These light fixtures are plugged into the receptacles that provide the power to the television set in each of the dormitories.
There is inadequate lighting in the central control station and the staff offices.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at the facility at this time.

24. Deferred Repairs and Maintenance
The facility has suffered through continuous neglect of routine repairs and maintenance over the past 10 years. The following is required at this time:
    1. Replacement of HVAC controls and rebalancing of the HVAC system.
    2. Cleaning-out of the HVAC ductwork system.
    3. Replacement of the two sliding gate operators, keypads and sensors at each of the two sliding gates at the fenced enclosure for the Sally port.
    4. Replacement of six combination sink/lavatory units in the dormitories.
    5. Replacement of all lighting fixtures in the housing units with vandal-resistant lighting fixtures with a night light.
    6. Replacement of all lenses for the exterior perimeter lighting and the lighting at the interior exercise/recreation area.
    7. Replacement of the existing roof.
    8. Repair, seal and painting of the flooring in the housing area.
    9. Replacement of the existing surveillance camera system with a new 32-camera system with high-resolution cameras with pan-tilt operation, one recording camera and four high-resolution monitors and a control console.
    10. Replacement of the electrical cell door controls with a new electronic cell door controls with manual override and a control console.
    11. Provision of an appropriate booking and intake area. Provision of a computer station with appropriate booking software.
    12. Replacement of the glazing on the two windows at the entrance, on the exterior wall with bullet-resistant glazing.

25. Medical Response at the Facility
Inmates are transported to the Indian Health Services clinic for routine healthcare needs. There is no specific area at the facility to deliver medical assistance. There are no routine checks for tuberculosis, HIV or hepatitis. There is a first-aid kit but it has not been checked for over one year. Detention officers dispense medications.

DRAFT

26. Booking Process at the Facility
The booking process at the facility is poor. The booking is conducted in the corridor on an office desk/chair near the central control station. There is insufficient space to conduct an appropriate booking. The space is not private. There is no change-out space for the inmates who have to be escorted to the staff restroom. The restraining chair is located outside the facility. There is no camera that records the booking desk/chair. The ITI system software recently procured for the police and the dispatch does not serve the needs for the detention officers.

27. Food Service at the Facility
There is a congested kitchen that serves the detention facility. There are no walk-in refrigerators or freezers and there is a very small dry storage area. The kitchen provides 168 meals per day on average, which includes meals for all staff, adult inmates and juvenile inmates.

28. Kitchen and Dining Staff at the Facility
There is one cook who is certified as a food handler. He is assisted by a 'reserve cook' who provides services over the weekends and as a backup to the cook.

29. Housekeeping Staff at the Facility
Housekeeping is provided by the inmates under the supervision of a detention officer. The housing units are generally dirty and unkempt.

30. Repairs and Maintenance Staff at the Facility
There is no staff to provide repairs and maintenance at this facility.

31. Inmate Services Provided at the Facility
There are no services provided for the benefit of the inmates at this facility.

32. Healthcare Assistance in the Community
The Indian Health Services facility provides for all of the healthcare needs of the inmates. It is located about 2 miles away and inmates are escorted by a detention officer up to the facility. Inmates are also referred to the La Paz regional hospital which is located about five minutes away.

33. Other Support Agencies in the Community
There is a behavioral health services facility and a substance abuse program that is available for the inmates. However, they expect the inmates to be escorted to their facility. The facility is working with the county to arrange for assistance to the inmates regarding routine healthcare checkups and evaluations at the detention facility.

34. General Reasons for Detention
The general reason for apprehension and detention is the onset of drugs-related violent crime.

DRAFT

35. Potentially Harmful Conditions and Behavior of Inmates
Ventilation grilles in the cell, posts on the bunk beds and articles of clothing could be used by the inmates to harm themselves. Inmates have also attempted to commit suicide by drinking cleaning supplies. There is no space to house a potentially suspect-behaving inmate who could be put on a suicide watch. There are insufficient surveillance cameras, which leaves a number of blind spots that cannot be monitored from the central control station.

36. Accountability and Reporting of Incidents
All incidents are reported to the Chief of Police and to the District Specialist at the BIA. There is no incident log for detention incidents and no specific format is used. Incidents are written as a memo at the central control station.

DRAFT

Section 3

Facility Review
June 6, 2006

The facility is 6018 square feet and was built in 1996. Dispatch and adult detention share space within the building. The facility was originally built to house both adult and juvenile inmates.

1. Exterior Site Conditions
   Exterior site conditions are adequate except for the direct access of the general public to the two windows at the front entrance on the exterior wall. The Dispatch area for law enforcement is located behind these two windows.

2. Exterior Exercise/Recreation Area
   There is no exercise/recreation area exterior to the building. A small interior space without a roof but with a chain-link fence covering is provided. The chain-link fence covering has been breached in the past and an inmate has escaped.
   The space is too small and within the building to serve as a staging area to evacuate the inmates in an emergency.

3. Exterior Perimeter Security
   The security of the exterior perimeter is poor. There is an exterior chain-link fence topped with barbed wire and two sliding gates in the fence that are constantly kept open, for a lack of parts and repairs that are needed for the electrical gate operators and sensor mechanism for the two sliding gates in the fence.
   There are five cameras that monitor the entire perimeter. These cameras do not provide adequate coverage for all the blind spots around the perimeter of the facility. Several blind spots are created as a result of small storage sheds that are used by the facility as a result of a lack of storage space within the building.

4. Sally Port Security
   The Sally port is created within the two sliding gates in the chain-link fence. Inmates are escorted through the side door into the booking corridor. The two sliding gates are inoperative resulting in open access by the general public around the building.

5. Building Interior Security
   There are 11 cameras that monitor the interior of the building. The four low-resolution monitors for all of the cameras are located at the central control station which has suffered damage from the roof leaks above. The electrical cell door control mechanism and keyed locks are partially operative. A

DRAFT

surveillance system consisting of new cameras, monitors, control consoles and cell door control mechanism is needed.

6. Building Structure
The building is a slab-on-grade, block-wall structure.

7. Building Roof
The 10-year-old flat roof is in disrepair. Plugged-up condensate drains from the HVAC units on the roof cause the water to pool on the roof and find its way through the cracks in the roof membrane. These cracks have resulted from the excessive heat and temperature swings in the area between the day and night temperatures.
Water leaks from the roof primarily over the central control station have damaged the electrical door control mechanism panel below.

8. Interior Ceilings
Hard concrete panels are used as a ceiling over the housing area and dropped 2 x 4 lay-in ceilings are used over the offices and in the kitchen.

9. Interior Walls
The interior walls consist of CMU block-wall construction.

10. Interior Flooring
The interior flooring consists of glued-on tile on concrete and carpeting in the office areas and painted concrete floor in the housing area. Flooring in the housing area is in disrepair.

11. Interior Dormitory Cells
There are six dormitories, each equipped with bunk beds and a porcelain sink and toilet.
The dormitory cells are dirty and unkempt.

12. Interior Isolation Cells
There are three isolation cells that are used as high-security cells only if needed.

13. Interior Detoxification Cells
There is one detoxification cell that has inappropriate hard surfaces all around.

14. Booking and Intake Area
There is no specific booking and intake area. Booking is conducted on a desk and two chairs that are located in the corridor leading in to the facility from the side entrance door. There is insufficient space to conduct an appropriate booking.

DRAFT

15. Visitation Area
There are two visitation stations that provide independent intercom units with no audio privacy between the two visitors or the two inmates.

16. Kitchen, Food Preparation and Pantry Area
There is a small kitchen that provides for all meals for the adult inmates, juvenile inmates and the staff at the facilities. There is a small food preparation area and pantry area. Because of poor air circulation the kitchen is hot and stuffy. There is no secure cabinet for the knives and utensils that are used in the kitchen.

17. Dining Area
There is no specific dining area. Each dormitory has an institutional bench and table that are used for dining. Inmates in the high-security cells and the detoxification cell are served in the cells.

18. Day Room Area
There is no day room at the facility. Inmates are provided a television set in each of the dormitories. There is a small library in the staff conference room that is available for the use by inmates.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is no specific area to render first aid and medical assistance.

21. Toilets and Showers
Porcelain toilets and sinks are provided in the dormitories. All showers in the dormitories are tiled and the mixing valves and showerheads are in good repair. There is sufficient hot and cold water.

22. HVAC System
The HVAC system is in disrepair. It is either too hot or too cold in the spaces and there is insufficient air flow within the conditioned spaces. The ductwork needs to be cleaned and all the controls need to be repaired. The entire system needs to be 'air-balanced'.

23. Plumbing System
There is one leaking toilet in the housing area. The plumbing system and the sanitary sewer system lines and fixtures are in good repair.

24. Lighting System
The lighting system is in need of repair. There is a need for appropriate vandal-resistant light fixtures which include a night-light. All lenses for the exterior perimeter lighting and the interior exercise/recreation area need to be replaced.

DRAFT

25. Electrical Power System
The electrical power system consists of a pad-mounted transformer and an exterior freestanding switchboard that is rated at 400 amps at 208 Y/120 volts, three-phase four wire. The system is backed by an aging 15 KW backup generator. There is no record to indicate the frequency of weekly exercising or the monthly full-load testing of the generator. There are no battery-backed emergency egress lighting fixtures.

26. IT System
There is a need for one computer station and appropriate software for the detention officer.

27. Security System
The security system at the facility is poor. The existing surveillance camera system does not provide the interior and exterior security adequately. There are a number of blind spots that cannot be monitored and there are insufficient cameras and low-resolution monitors. The detention officers use their radios for communications for their personal security.

28. Energy Usage and Conservation
There is no awareness of energy conservation at the facility.

29. Fire Egress – Exterior and/or Secured Areas
There is a fire egress plan but there is no secured staging area at a sufficient distance from the facility for the inmates once they are evacuated.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are fire extinguishers that are located at appropriate locations and there is a fire alarm system with a fire alarm control panel that is located at the central control station. There are no records for routine testing of the fire alarm system. There is no sprinkler system at the facility.

31. Building Access for Staff and Inmates
The staff and visitors access the building from the front entrance. Inmates are escorted through the side entrance.

32. Hazardous Materials
There is no reported asbestos, lead paint or mold at the facility.

33. Handicap Access for Staff and Inmates
There is a restroom that may be used by staff and visitors who are disabled. There are no showers, toilets or ramps that are needed for disabled inmates who may be housed at this facility. The facility is provided with a strobe/horn system to annunciate a warning flashing light and sound an emergency horn to alert the disabled.

DRAFT

34. Potentially Hazardous Elements
Ventilation register grilles in the cell, posts on the bunk beds and articles of clothing could be used by the inmates to harm themselves.

DRAFT

Section 1

Background Information
of the
Fort Apache Reservation
Served by the Fort Apache Detention Center

Fort Apache Indian Reservation[1]
Federal reservation
White Mountain Apache
Navajo, Apache, and Gila counties, Arizona

White Mountain Apache Tribe
PO Box 700
Whiteriver, AZ 85941
602-338-4346
602-338-4778 Fax
Web site: wmat.nsn.us

Total area 1,664,972 acres

Population (2000 census) 12,429
Tribal enrollment 11,702
Tribal enrollment (Tribal source) 13,556

Total labor force 3,696
High school graduate or higher 54.3%
Bachelor's degree or higher 7.4%
Unemployment rate 11%
Total housing units 3,532

DRAFT

LOCATION AND LAND STATUS
Located in east-central Arizona, Fort Apache Indian Reservation consists of desert foothills, canyon beds, and forested mountains where elevations exceed 11,000 feet. The federal reservation is approximately 75 miles long and 45 miles wide. The Community of White River serves as the business center for the tribe and is the location of the Bureau of Indian Affairs (BIA) agency. Residential communities are located at McNary, North Fork, Seven Mile, East Fork, Canyon Day, Cedar Creek, Carrizo, Forestdale, and Cibecue.

[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.

The joint White Mountain–San Carlos Apache Reservation was established by an Executive Order on November 9, 1871, and supplemented by an Executive Order on December 14, 1872. It was set aside on lands surrounding Fort Apache, a military outpost initially known as Camp Oral, designed to protect white settlers in the Arizona Territory.

PHYSICAL DESCRIPTION
Whiteriver, Arizona, the tribal headquarters, sits at an elevation of 5,280 feet above sea level.

CLIMATE
The average year-round high temperature is 71°F. The average low temperature is 38°F. The area receives just over 18 inches of precipitation annually, almost all of it (17.9 inches) falling as winter snows.

GOVERNMENT
The White Mountain Apache Tribal Council was established under the provisions of the Indian Reorganization Act of June 18, 1934, adopting a constitution in August 1938. This constitution was amended in 1958 and 1993. The elected council includes a chairperson, who presides over all Tribal Council meetings and exercises authority delegated by law, ordinance, or Tribal Council; a vice chairperson; and nine members at large elected from four districts, each serving four-year terms.

The tribe, under PL-638, contracts with the BIA to administer key programs and services.

The tribe has a legal office which acts in an advisory and ministerial, rather than in a judicial capacity, under the general supervision of the tribal attorney or the tribe's general counsel. The office falls under the daily supervision of the Tribal Chairman with duties similar to that of the attorney general of the federal or state government. The legal department advises the chief executives and departmental heads regarding questions of law touching upon their official duties. The Tribal Attorney, acting under the direction of the chairman or by Tribal Council resolution, is responsible for instituting, conducting, and maintaining all suits and legal proceedings deemed necessary for the enforcement of tribal laws and the preservation of order, tribal rights, and resources.

Tribal government has made a plethora of social services available to community members including: the Job Training Partnership Act, WIC, Weatherization, a Safety Department, Food Distribution, and Elderly Services.

INFRASTRUCTURE
U.S. Highways 60, 73, and 260 cross the Fort Apache Indian Reservation. A commercial air shuttle to Phoenix operates from an airport 10 miles from the reservation at Show Low, Arizona. There is a 6,270-foot paved and lighted runway and UNICOM radio access at the Whiteriver Airport.

DRAFT

Electricity – Electricity is provided by the Navopache Electric Cooperative.

Fuel – Propane gas comes from Doxol.

Water Supply – Water is available via community systems operated by the Tribal Utility Authority. The Whiteriver Regional System handles sewage disposal.

Telecommunications – GTE West provides telephone service. The tribe operates a radio station and five cable-television channels. The tribe has its own fire and police departments.

COMMUNITY FACILITIES AND SERVICES

There are three community centers, a rodeo and fairgrounds, an indoor swimming pool, Old Fort Apache and the Cultural Center, a library, and three gymnasiums available to Fort Apache residents.

Education – In Whiteriver, there are two public elementary schools, one junior high school, and a high school, along with a branch of Northland Pioneer College. There are also three BIA schools and a Lutheran mission school. (Please see Economy and Tourism, and Recreation for additional details.)

Health Care – The Indian Health Service operates a 50-bed hospital at Whiteriver, providing a full range of inpatient, outpatient, and community health care. Emergency air evacuations to the larger facilities in Phoenix are available by contracted helicopter service. There are a number of various mental health and substance abuse treatment options available on the reservation, and there is an outpatient and emergency care clinic in Cibecue, as well as an EMS unit.

DRAFT

Section 2

Program Review
June 3, 2006

The original facility consisting of 9642 sq. ft. was built in 1968. A 5836 sq. ft. addition was added on in 1988 for total of 15,478 sq. ft. The facility has 45 beds available for the housing of inmates. 56 inmates were housed on the day of the visit with an average of 70 inmates per day and a maximum count of 110 inmates housed at this facility. Thus, beginning May 5th 2006, the facility has started enforcing a strict rule to stop taking inmates when the count exceeds 90.

1. Funding of Operations
   Funds are pooled into a common account which is contributed through the PL 638 program as well as through tribal funds. Approximately $690,000 was contributed by the BIA and $860,000 was contributed by the tribal government for the detention program to at this facility.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides funding for the repairs and maintenance of the facility through OFMC.

3. Policies and Procedures
   The facility uses tribal policies and procedures. At this time the facility is working on incorporating the BIA Redbook. An initial draft for the Policies and Procedures for this facility was created in 1988, which was adopted by the tribe in 2004. The BIA attempted to assist with training on the policies and procedures but it was not compatible for small facilities such as this or facilities that did not have modern technology. The training was not very well developed. There were two classes and then the training was discontinued.

4. Staffing
   There are a total of 13 detention officers, only four of whom are certified. In addition, there is one individual who works part-time at the facility.

5. Programs
   The facility provides assistance with a GED program for the inmates. The Behavioral Health Group provides assessment to the inmates, including evaluations for those with suicidal tendencies. A religious group, 'Dunamis Ministries', provides counseling for the inmates. At one time the facility carried out a program for the Alcoholics Anonymous, classes in 'Anger Management' and a 'Parenting Group' all of which have been discontinued for lack of funds.

DRAFT

6. Staff Training
Of the 13 detention officers, only four are certified. The Director of Detentions reported that it has been very difficult to get the remaining officers into the Academy. He has been constantly turned down with, 'application not complete'. He reported that he finds continuous roadblocks and bureaucracy which prevents him from getting his officers into the Academy.

7. Space for Inmates On-Site
There is space for 45 beds at the facility. In 1988, the facility was built with an expansion to accommodate 120 beds. Of these, 75 beds were decommissioned when juveniles were sequestered from the adults, leaving 45 beds for the adults at this facility.

8. Space for Inmates Off-Site
Adult inmates are not sent off-site. Juveniles were separated and moved to Gallup.

9. Staffing Capacity for the Inmates On-Site
The facility reported operating three work shifts with six, five and four officers on duty during every eight-hour work shift. At least one certified officer is on duty during each shift. However, there are only 13 detention officers serving the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide the transportation and escort of inmates to the court which is one-and-one-half miles away and to the Indian Health Services about two-and-one-half miles away.

11. Office Supplies for Staff
There are sufficient office supplies for staff.

12. IT Equipment for Office Use
There is insufficient IT equipment for the office. Four additional workstations are needed for the detention officers. Presently two computers are used for Records Management and Reporting Management. There is a need for software that could be used for the booking process.

13. IT Equipment for Communications Use
There are no radios for the detention officers to communicate with the arresting officers or as a communication device for personal security for their use within the facility. There is a need for 15 radios with push-to-talk switches, three spare radios and battery chargers to support the 15 radios.

14. Personal Supplies for Inmates
There are sufficient personal supplies for the inmates at this time. Personal supplies are furnished by the National Relief Charities in Phoenix, Arizona. They provide items such as shampoos and laundry soap for the inmates.

DRAFT

15. Uniforms for Staff and Inmates
There are sufficient uniforms for staff and inmates at this time.

16. Linen for Inmates
The National Relief Charities in Phoenix, Arizona is providing blankets. A shipment of 72 blankets was recently received by the facility.

17. Furniture and Fixtures for Staff and Inmates
There is insufficient furniture and fixtures for the use by the staff and inmates at the facility. Additional institutional furniture is needed to replace the existing furniture that has been in use since 1968. Four additional workstations are needed for the staff.

18. Transportation Vehicles
The facility has two 1986 Ford vans, each of which has an inmate barrier. The facility has recently purchased a 2005 Dodge Caravan van but it lacks a cage or radios at this time. This van is used to transport inmates to the court, Indian Health Service as well as to transport juveniles to Gallup.

19. Fuel for Vehicles
Fuel for the vehicles is provided by law enforcement.

20. Utilities for Facility
The BIA - OFMC provides for the propane and electricity at the facility.

21. Hot and Cold Water for Kitchen, Laundry and Showers
Some cells do not have hot water at the shower stalls. There is hot and cold water for the kitchen and laundry. The hot-water tank is not adequately sized to support all of the hot water needs at the facility.

22. Adequate Lighting for Inmate and Staff Areas
There is adequate lighting for the inmate and staff areas at the facility.

23. Ongoing Repairs and Maintenance
The kitchen hood is being replaced at this time.

24. Deferred Repairs and Maintenance
This facility was built in 1968 and has suffered through neglect to repairs and maintenance over the last 38 years. As such there are several outstanding repairs and maintenance items that have been deferred and need to be undertaken. These include the following:
    1. Replace the exhaust fan for the kitchen hood.
    2. Replace the HVAC system for the kitchen.
    3. Replace the booster heater for the dishwasher at the kitchen.
    4. Replace the kitchen ceiling.
    5. Repair the dripping faucet in the kitchen.
    6. Finish the women's restroom for use by the kitchen staff.

DRAFT

7. Replace the HVAC system including all distribution ductwork, dampers, supply and return air registers, thermostats and associated controls.
8. Repair the continuous condensate leak and/or pipe rupture on the roof that has been draining through the PVC pipe in the canale for over one year.
9. Replace all glued-on vinyl tile flooring and provide appropriate sealant and paint on the concrete surface including skid-resistant surfacing on all areas that may be subject to a water spray, throughout the housing area.
10. Repair the existing generator and transfer switch. Provide controls for the automatic exercise of the generator every week and a full load test every month.
11. Provide one male and one female shower stall equipped for the use by disabled inmates. Provide appropriate restrooms and access for disabled staff, visitors and inmates at the facility.
12. Replace existing electrical cell-doors controls console manufactured by ETI. Interface such controls console with the intercommunication system and the security surveillance camera system.
13. Replace the electrical service entrance panelboard and all associated electrical distribution system and devices.
14. Provide an appropriate Central Control Station for the detention officer instead of the makeshift provisions in the old 1968 booking room.
15. Provide eight additional cameras that will be compatible with the existing cameras. Replace existing monitors with new high-resolution monitors for the new Central Control Station for the detention officer.
16. Provide a restraint chair and a fingerprint machine for the booking station.
17. Repair three unscreened skylights.
18. Replace 24 sink/lavatory combination units.
19. Replace all above-ground plumbing lines and valves to each plumbing fixture and clean out all underground sanitary sewer lines.
20. Provide a new water softening system for the facility.

25. Medical Response at the Facility

The facility provides a minimal medical response on the premises. There is a first-aid kit that is used for minor healthcare needs for the inmates. Generally the Indian Health Services is called and responds in about 10 to 15 minutes for needs such as an alcoholic seizure. A representative from the IHS visits on Mondays for screening for sexually transmitted diseases – STD only. The inmates are not screened for tuberculosis, HIV/AIDS or hepatitis.

26. Booking Process at the Facility

The booking process at the facility is poor. Booking is conducted in the same room that was designed as a booking room in 1968. However, the original 'booking room' has since been converted into the Central Control Station for the detention officers. Booking is now conducted in a very limited space on a bench by a countertop in the central control station. There is insufficient

DRAFT

space at the Central Control Station for the surveillance equipment, workstations, countertops and the physical movement of the individuals. There have been confrontations with the inmates, and officers have been assaulted in the past. Inmates may spit on the officers. The booking software system does not work. The camera in the booking area does not work. There is insufficient space to provide a restraining chair in the booking area. The booking is conducted using manual forms and fingerprinting methods.

27. Food Service at the Facility
Food services are provided at the facility using an on-site kitchen. There is no appropriate secured cabinet for the utensils and knives that are used in the kitchen. The utensils and knives are stored in an unsecured kitchen worktable drawer that can be accessed by the inmates.

28. Kitchen and Dining Staff at the Facility
The facility has the services of two full-time cooks who provide all of the meals for the inmates. Meals are precooked if a cook is not available for the evening shift. Detention officers do not provide any cooking at the facility.

29. Housekeeping Staff at the Facility
A janitor provides cleaning for the administration areas and the grounds. Inmates provide the cleaning in the housing area which is dirty and unkempt.

30. Repairs and Maintenance Staff at the Facility
Repairs and maintenance are provided by non-BIA building facility staff. In addition, three BIA staff members provide for the repairs and maintenance of 25 buildings in the area.

31. Inmate Services Provided at the Facility
The facility provides assistance with a GED program for the inmates. The Behavioral Health Group provides assessment to the inmates including evaluations for those with suicidal tendencies. A religious group, 'Dunamis Ministries' provides counseling for the inmates.

32. Healthcare Assistance in the Community
The IHS hospital provides general healthcare and dental care. The Behavioral Health Facility provides assistance with behavioral health. The Rainbow Treatment Center provides treatment for the abuse of alcohol, and the Tribal Guidance Center provides family counseling.

33. Other Support Agencies in the Community
The Tribal Social Services Center provides classes in Anger Management.

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 694, 89 and 222 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

DRAFT

35. Potentially Harmful Conditions and Behavior of Inmates
The inmates may harm themselves using articles of clothing, available electrical cords provided for television and radios and the screens on air vents in the cells. Inmates with suicidal tendencies are watched.

36. Accountability and Reporting of Incidents
All incidents are reported to the BIA in Phoenix, Arizona.

DRAFT

Section 3

Facility Review
June 3, 2006

The original facility consisting of 9642 sq. ft. was built in 1968. A 5836 sq. ft. addition of was added on in 1988 for total of 15,478 sq. ft. The facility has 45 beds available for the housing of inmates. 56 inmates were housed on the day of the visit with an average of 70 inmates per day and a maximum count of 110 inmates housed at this facility. Thus, beginning May 5th 2006, the facility has started enforcing a strict rule to stop taking inmates when the count exceeds 90.

DRAFT

1. Exterior Site Conditions
   The exterior conditions at the facility are poor. The facility is located in and around the central business and residential area of the community. The general public has access up to the building through the public-access entrance and the unsecured reception window for the dispatch.

2. Exterior Exercise/Recreation Area
   The exercise/recreation area is created within the interior of the perimeter walls of the facility. There is a small fenced area on the west end of the building which is enclosed with the chain-link fence and partially topped with razor wire. This space serves as an extension of the interior yard or for the ingress and egress of the inmates. There are ramps with hand rails that provide sufficient height for inmates to climb on top and over the razor wire fence or simply walk over into the area that does not have the razor wire and climb over three barbed wires above the chain-link fence since the razor wire covers only a part of the enclosure. The remaining chain-link fence topped with three strands of barbed wire is insecure. The chain-link fence provides an illusion of security. The general public tosses rocks and other contraband from the parking lot into the interior exercise/recreation area.

3. Exterior Perimeter Security
   Exterior perimeter security is poor. There are no cameras that monitor the north or the south side of the facility. There is one camera on the east wall which monitors the fenced gate –which is always kept open, and a camera immediately above the back door entrance. There are two cameras on the west entrance and the exercise yard. There are several blind spots around the facility that are not monitored by the cameras.

   The general public who has access up to the front reception window could be detrimental to the security of the dispatch officers behind the reception window because of the large permanent opening in the bullet-resistant glass partition at the reception window. This opening is occasionally covered with

a piece of cardboard by the dispatch officers to indicate non-availability of the dispatch officers.

The master key for the detention facility was found lying on the other side of the countertop within easy reach through this opening. Once alerted, the dispatch officers simply slid the cardboard barrier over the opening, leaving the master key in the same position and accessible to the public who could now simply move the cardboard, reach in and procure the master key.

The dispatch officers are also vulnerable to being physically harmed through the opening in the reception window.

4. Sally Port Security
There is no Sally port at the facility. Inmates are escorted through the back door into the hallway leading to the Central Control Station where a bench serves as a booking station. The arresting officer's vehicle, even though inside the fenced perimeter, is insecure since the fence gate is never closed.

5. Building Interior Security
The interior of the building is monitored with the system of 42 cameras on monitors that have very poor resolution. The camera/intercom system is unreliable and goes in and out. The electrical door controls system provided by ETI is unreliable and can cause a shutdown of cell doors during an emergency. A physical key provides for a manual override for the cell doors. The camera in the booking area monitoring the inmate does not work.

6. Building Structure
The building structure consists of a block-wall structure on a piers footing with a steel deck covered with concrete for the floor decking. There is a crawl space of about 4 feet below the sub-floor deck, throughout the facility.

7. Building Roof
The facility has a membrane flat roof that is about four years old. There have been no reported leaks through the roof.

8. Interior Ceilings
Glued-on tile ceiling is used in the offices and hard ceilings are used in corridors and the housing area. All the HVAC and lighting fixtures are surface mounted against this ceiling.

9. Interior Walls
Interior block-walls consist of a block-wall construction.

10. Interior Flooring
The housing area consists of painted concrete flooring while the offices and corridors use a glued-on tile on the concrete surface for flooring.

DRAFT

11. Interior Dormitory Cells
The interior dormitory cells are in very poor condition. Most of the cells have inoperative combination sink/lavatory units. There is insufficient air movement or ventilation within the cells. There is no outside lighting in any of the cells. The cell doors are subject to being locked in place should the electrical ETI door system malfunction – which it does at times. Inmates cannot be evacuated within three minutes using the manual key/lock system at the cell doors.

12. Interior Isolation Cells
Interior isolation cells are used as detoxification cells. These cells have only a floor drain that cannot be flushed.

13. Interior Detoxification Cells
The interior detoxification cells are used interchangeably with the isolation cells. There is no padding on any of the walls in the detoxification cells.

14. Booking and Intake Area
The booking and intake area is a corridor leading to a bench located in the central control station. There is insufficient space for the functioning of an appropriate booking and intake area. The space is ill-equipped to serve either as a central control station or as a booking and intake area.

15. Visitation Area
There are two visitation stations that are available for the visitors. There is no audio volume for the intercom so the inmates and the visitors have to shout at each other to be heard.

16. Kitchen, Food Preparation and Pantry Area
There are a kitchen, food preparation area and a pantry area at the facility. The exhaust fan for the kitchen hood is inoperative. The HVAC system in the kitchen is inoperative. The booster heater for the dishwasher is inoperative. The ceilings have not been repaired after having fixed the roof leaks, over a year ago. Kitchen faucets leak continuously. All of the kitchen equipment and building systems need to be repaired.

17. Dining Area
The dining area at the facility also serves as the day room for the inmates. Inmates have access to electrical cords for the television set and surface-mounted sprinkler systems, a combination of which could be detrimental to the safety and security of the inmates. Water is provided in the dining area in recycled plastic soda pop bottles.

18. Day Room Area
There is no day room other than a dining area which was discussed earlier. This area is also used for the overflow of sleeping quarters for the inmates.

DRAFT

19. Vocational Training Area
There is no vocational training area at this facility.

20. First Aid and Medical Assistance Area
There is a first-aid kit; however, inmates are routinely sent to the IHS hospital in the community. The detention officer dispenses medications. There are no routine checks for tuberculosis, HIV/AIDS or hepatitis. There is no separate room for medical exams or where someone could attend to the healthcare needs of the inmates.

21. Toilets and Showers
The old section of the facility that was built in 1968 has shower vestibules that do not have any ventilation. These areas are odorous and have growing mold up to 3 feet above the floor level.

22. HVAC System
The facility uses the original HVAC system that was installed 38 years ago. The system consists of swamp coolers mounted on the roof which are used for cooling and a propane-fired boiler that is located in a boiler room, which is used for heating. The surface mounted ductwork with occasional fans and registers serve as the distribution system. The system has not been maintained over the years and very few parts have been replaced over the last 38 years. Commercial store-bought circulating fans are used to supplement air circulation.

23. Plumbing System
The plumbing system throughout the facility is in disrepair. There is low pressure at all combination sink/lavatory units such that inmates cannot use them for drinking water. There is no hot water in several cells. Push-buttons at the sink/lavatory units are difficult to push. Because of the hard water in the area and inattention over the years, mineral salts have deposited in all of the plumbing lines, causing a deficiency in waterflow through these lines.

24. Lighting System
The lighting system at the facility is adequate. It was replaced about two years ago.

25. Electrical Power System
The facility is served by an 800 amp - 208 Y/120 V, three-phase, four wire service. This power is supplemented with a 60 KW backup generator with a 250 amp main breaker. A 200 gallon fuel tank is provided for the generator. The generator has 2883 hours on the hour meter and it was procured as a 'used' unit that was previously used for rental use. There are no records of ever having exercised the generator on a weekly basis or if a monthly load test is conducted. The generator failed to function when commercial power failed last time.

DRAFT

26. IT System
The IT system at the facility is in disrepair and subject to failure. The electrical distribution that serves the facility is subject to failure.

27. Security System
The facility has a system of 46 cameras which are monitored at the central control station on very poor-quality monitors. The ETI system for the door controls for the housing units is unreliable and occasionally 'blacks out' rendering all cell doors inoperative from the central control station.

28. Energy Usage and Conservation
There is no awareness of energy conservation at the facility.

29. Fire Egress – Exterior and/or Secured Areas
The fire egress to the exterior and/or secured areas is poor and unsafe. The facility uses an electrical cell door system with a manual override that malfunctions. The backup generator failed to function during the last power outage. The facility cannot be evacuated in three minutes and there is no safe staging area to evacuate the inmates during an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There is a fire alarm system at the facility but it could not be determined if it is maintained and tested on a periodic schedule. A retrofitted surface-mounted sprinkler system was installed; however, the surface-mounted sprinkler lines are accessible to the inmates in the corridors, day room and the exercise/recreation area, with potential for inmates to harm themselves.

31. Building Access for Staff and Inmates
The staff uses the front entrance and the inmates are escorted through the back door.

32. Hazardous Materials
Several of the shower areas are odorous and have growing mold up to 3 feet above the floor level. There are no records to indicate that the facility has been abated of asbestos and/or lead paint which was in use in 1968 when this facility was built.

33. Handicap Access for Staff and Inmates
Attempts have been made to provide ramps for access by the disabled. There are no restrooms for the use by disabled visitors or staff and there are no cells that may be used to house inmates who are disabled.

34. Potentially Hazardous Elements
Inmates may use articles of clothing, electrical cords and surface mounted sprinkler lines to harm themselves.

DRAFT

Section 1

Background Information
of the
Hopi Reservation
Served by the Hopi Correction Center

Hopi Reservation[1]
Federal reservation
Hopi
Coconino and Navajo counties, Arizona

Hopi Reservation
Cultural Preservation Office
P.O. Box 123
Kykotsmovi, AZ 86039
928-734-3000
928-734-2435 Fax
Web site: itcaonline.com/tribes_hopi.html

Total area 1,542,306 acres

Population (2000 census) 6,946
Tribal enrollment (Tribal source) 12,053

Total labor force 2,280
High school graduate or higher 71.9%
Bachelor's degree or higher 10.2%
Unemployment rate 48.5%
Per capita income $9,600

DRAFT

LOCATION AND LAND STATUS
The Hopi Reservation is located in the high deserts of northeastern Arizona, approximately 65 miles north of Interstate 40. It is bounded on all sides by the Navajo Indian Reservation. The tribal headquarters are located in Kykotsmovi, Arizona, while the Bureau of Indian Affairs (BIA) agency serving the reservation is located in Keams Canyon, approximately 21 miles east of the headquarters.

By an Executive Order on December 16, 1882, the Hopi Tribe was granted approximately 2.6 million acres of land; however, they never enjoyed complete use of this allocated region. At the time of the original order, about 300 Navajos lived within

[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.

the region's boundaries, and over the years, as the Navajos settled closer and closer to Hopi villages, conflicting claims were pursued in court. In 1936, as part of a stock-reduction plan to address overgrazing, the BIA divided the Hopi and Navajo reservations into 18 land-management and grazing districts, which left the Hopis with exclusive rights to only about one-fifth of the original allocation (District Six). Legal maneuvering over land rights has continued up to the present time. In 1962, the U.S. Supreme Court ruled that, except for District Six, the two tribes had equal rights to the land. The Navajo-Hopi Land Act Settlement, passed by Congress in 1974, led to the partitioning of the land. Subsequent rulings, including that by the U.S. District Court of Arizona in 1992, continued the process of repartitioning the original allocations. As of 1994, original Hopi holdings have been reduced by more than a million acres.

The Hopi villages are located atop either on the First Mesa, Second Mesa, or Third Mesa, situated on or below rocky promontories extending southwest from Black Mesa. They overlook five drainages, or washes: Jeddito, Polacca, Oraibi, Dinnebito, and Moenkopi. The villages of Hanoki (Hano or Tewa), Sitsomovi (Sichomovi), and Waalpi (Walpi) are located atop First Mesa, about 11 miles west of Keams Canyon, and the community of Polacca is located below. First Mesa villages are world-renowned for their hand-coiled, white pottery. Second Mesa is home to three villages: Musungnuvi (Mishongnovi), Supawlavi (Shipaulovi), and Songoopavi (Shongopovi). The population on Third Mesa is centered in the communities of Orayvi (Oraibi), Kiqotsmovi (Kykotsmovi), Hoatvela (Hotevilla), and Paaqavi (Bacavi). Munqapi (Moencopi) is also considered a Third Mesa village. Every village is separate and autonomous.

DRAFT

PHYSICAL DESCRIPTION

The northern part of this 4,000-square-mile reservation is composed of steep mesa and valley terrain, ranging from 4,700 to 7,800 feet in elevation. The southern part is characterized by wide, rolling valleys and semidesert grasslands and scrub. Mesa tops are often dotted with piñon and juniper woodlands, where deer, antelope, bobcats, badgers, coyotes, rabbits, and reptiles roam abundantly. Most of the Reservation is open land used for grazing and livestock production.

CLIMATE

Temperatures have been recorded for Keams Canyon, 21 miles distant, where the average year-round high temperature is 66°F. The average year-round low temperature is 34.5°F. The semiarid area receives just over 10 inches of precipitation annually, and10 inches of snowfall.

GOVERNMENT

The Hopi Tribal Council was established under the Indian Reorganization Act of 1934, and the first tribal constitution was adopted December 19, 1936. The council, largely inactive for the next 15 years, was reconstituted in 1950 and finally given federal recognition in 1955. Today the council is composed of a chairman and vice president, each serving four years, and council members serving two years. Council members come from four different districts: First Mesa, Second Mesa, Third Mesa, and the Moenkopi District. The council meets quarterly, on the first day of December, March, June, and September.

While the tribal council represents Hopi people in external matters, the 12 Hopi villages remain quasi independent. Only one village has adopted a constitution and established a western form of government, with the remaining 11 villages varying in the degree to which they adhere to the traditional Hopi form of governance. Oraibi remains strictly traditional. Some villages have blended traditional practice with western governing policies by maintaining a village chief or leader (Kikmongwi), but also having representation on the tribal council. The council office is in Kykotsmovi. Like the United States government, Hopi government has an executive branch, a legislative branch, and a judicial system with many teams and departments to provide services and to oversee various functions of daily life on the reservation. The tribe, under PL-638, contracts with the Bureau of Indian Affairs to administer key programs and services. The more traditional style of Hopi government is based on the divine plan of life laid out by Maasau, the Guardian of the Fourth World. In this mode of governing, each village is a complete and independent entity, wherein the village leader is also the head of all religious and nonreligious authority. The kikmongwi controls all village and clan lands, with community consensus keeping individual authority in check. A council of hereditary clan leaders acts as advisors to the kikmongwi, interpreting religious and cultural teachings and influencing ceremonial events and the personal behavior of each clan member.

INFRASTRUCTURE

Arizona State Highway 264 runs east-west through the heart of the reservation. U.S. Interstate 40 passes east-west due south of the reservation, from which State Highway 77 cuts north directly to the reservation. U.S. 89 from Flagstaff intersects Highway 264, as does U.S. 160, on the north side of the reservation.

The Turquoise Trail Highway connects Hopi villages to the Black Mesa and Kayenta mine complex, The Black Mesa and Lake Powell Railroad, an isolated 78-mile single transient, connects the mines and the Navajo Generating Station power plant near Page, Arizona. It operates nearly 24 hours a day. Polacca Airport, two miles west of the village of Polacca, has a 4,200-foot paved lighted runway; other air services are available in Holbrook, Winslow, and Flagstaff. Holbrook, about 75 miles from the reservation, has commercial train and bus service.

Electricity – The Arizona Public Service Company provides electricity to the reservation.

Fuel – Amerigas, Ikard Newsom, and Ferrell Gas provide propane services.

Water Supply – There are four subsurface aquifers on Black Mesa. Wells tapping the N-aquifer are the sole source of drinking water for Hopi villages. Water for livestock and wildlife comes from springs, stock ponds, and wells tapping shallower aquifers. The U.S. Public Health Service and the Navajo Tribal Utility Authority provide water and sewage service.

Telecommunications – Universal Telephone and Navajo Communication supply telephone service.

DRAFT

COMMUNITY FACILITIES AND SERVICES

The reservation has both a weekly and a biweekly newspaper. Residents can receive several television and radio stations from Flagstaff, Tuba City, Winslow, and Holbrook.

Education – There are six elementary schools, a junior high school, and a high school located on the reservation. There is a boarding school in Keams Canyon, and Northland Pioneer Community College serves 17 communities within Navajo County. Northern Arizona University offers community college and university courses via satellite and television. The Hopi Tribal Grants and Scholarship Program established a $10 million Education Endowment Fund in 2001 and provides tuition assistance to approximately 450 students attending regionally accredited colleges and universities annually, while the Hopi Adult Vocational Training Program annually funds about 45 students pursuing vocational and technical training.

Health Care – The Hopi Health Care Center at Polacca and a full-service hospital in Tuba City provide health care, offering everything from emergency care to optometry and dental services. U.S. Indian Health Service contracts to furnish the tribe with mental health services, alcoholism rehabilitation, substance-abuse programs, and administrative support services.

DRAFT

Section 2

Program Review
July 14, 2006

This facility was built 26 years ago in 1980 as a rehabilitation center, to house both adults and juveniles. The facility was later converted into a detention facility. At yet a later date, the facility was converted into an all-adult detention facility since it did not have appropriate separation of sight and sound to accommodate juveniles. Housing for juveniles was discontinued. Subsequently the facility was converted to a '72-hour booking and holding' facility. The inappropriate use of the facility as an adult detention facility is evident. The facility is shared with the Police and Dispatch. Inmates are sent to the Coconino County detention facility for long-term housing.

1. Funding of Operations
   This is a BIA facility with 100% of funding from the BIA. There is no tribal contribution to the operations of this facility.

2. Funding of Repairs and Maintenance of Facility Structure
   The BIA provides for all funding for the repairs and maintenance of this facility.

3. Policies and Procedures
   The facility uses a customized policies and procedures manual that was derived from the guidelines of the Redbook from the BIA. These customized policies and procedures were sent to District 3 three years ago but no formal approval has been received. The facility uses 'common sense and past experience' in lieu of the approved policies and procedures.

4. Staffing
   There are six detention officers, all of whom are certified. The facility operates on five shifts that utilize one detention officer per shift. The shifts are staggered so that two detention officers are on duty for a part of the day shift and a part of the swing shift. A similar staggering of shifts also allows two detention officers to be on duty during the weekend. There is a shortage of staff and the facility is overwhelmed if even one officer reports sick or needs to take some time off.
   There are one cook and two food service handlers who support the food service at this facility.

5. Programs
   There are no programs offered for the benefit of the inmates.

DRAFT

6. Staff Training
Because of a shortage of staff, officers never leave to go for additional training.

7. Space for Inmates On-Site
The facility is used as a booking and holding facility at this time. There is capacity for 68 beds and an additional capacity for six individuals in the detoxification cells.

8. Space for Inmates Off-Site
The facility has contracted out for 60 beds and the Coconino County detention facility. At $34 per inmate per day the 60-bed contract works out to $744,700 per year. At this time there are 35 inmates who are housed at this off-site facility.

9. Staffing Capacity for the Inmates On-Site
There is a shortage of staff at the facility. The facility has attempted to recruit detention officers, but with a very poor response. While there are a lot of applicants in the initial recruiting stage, very few qualify past the background check. The background check takes a long time, which often discourages new applicants. Recently three potential candidates were selected, of which one has since declined while he awaited the background check. It is unlikely that the remaining two candidates will reach full employment at the facility.
At this time there are six full-time detention officers at the facility.

10. Staffing Capacity for Transportation and Escort for Inmates
The detention officers provide escort and transportation of the inmates. The Coconino County detention facility is approximately 2 ½ hours away in travel time each way, which uses up roughly the whole day of the transportation officer's time for the delivery or return of one inmate.

11. Office Supplies for Staff
There are sufficient office supplies for staff at this time.

12. IT Equipment for Office Use
There is sufficient IT equipment for the use by officers at this time. Computer stations and associated software were provided by the tribe. Spillman software system was installed in October 2005 and is presently used for the booking process only. The remaining logs for daily activities are maintained manually.

13. IT Equipment for Communications Use
There are four handheld radios (without a microphone) that are used by the detention officers. There is no intercom system between the cells and the central control station.
Officers have to shout loudly if they need to summon help. There is a need for eight radios with push-to-talk switches, battery chargers and batteries.

DRAFT

14. Personal Supplies for Inmates
Personal supplies for inmates are adequate.

15. Uniforms for Staff and Inmates
The staff uses personal funds to purchase their own uniforms, boots and duty equipment. The last time such items were funded was three years ago.

16. Linen for Inmates
They are sufficient blankets, mattresses and towels for inmates.

17. Furniture and Fixtures for Staff and Inmates
Furniture and fixtures for staff and inmates are in disrepair. The aging furniture and fixtures were furnished 26 years ago. Unsecured plastic lawn chairs and folding tables are in use. Furniture and fixtures for the inmates need to be replaced with institutional furniture. Desks and chairs used by the staff are in disrepair and need to be replaced.

18. Transportation Vehicles
One truck with a camper shell and a transportation cage is used as a primary transportation vehicle. There is an additional van that has been equipped for transportation but it lacks a transportation cage and is generally not used for transportation. This van has several utility repair tools such as two lug nut wrenches and other utility tools that may be used as weapons by the inmates during transportation. An additional transportation van has been placed on order and is expected to be delivered soon.

19. Fuel for Vehicles
There is insufficient funding for fuel for the vehicles and officers are requested to reduce the use of vehicles at times.

20. Utilities for Facility
There is sufficient funding to pay for the utilities 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. The water pressure is very low at the kitchen, laundry, showers, sinks and toilets.

22. Adequate Lighting for Inmate and Staff Areas
Lighting is inadequate in the inmate housing area. There are no night-lights in the light fixtures. Lighting in the staff areas is adequate.

23. Ongoing Repairs and Maintenance
There are no ongoing repairs and maintenance at this time for lack of funds. There is a total $7,000 left in the budget for repairs and maintenance for the current fiscal year and this amount is being retained as a 'contingency' for unforeseen needs.

DRAFT

24. Deferred Repairs and Maintenance

The facility has suffered from a lack of routine repairs and maintenance over the last 26 years. As such there are a number of items that need attention, which include:

1. Replace the electrical distribution system.
2. Replace all existing light fixtures with vandal-resistant light fixtures and night lights.
3. Provided appropriately sized backup generator.
4. Replace the fire alarm system to provide full coverage of the facility.
5. Replace the two sprinkler heads at the sprinkler system located in the laundry and provide a new sprinkler system at the facility.
6. Repair the flue for the dryers at the laundry which is located in the garage.
7. Replace the existing kitchen hood fire-suppression system.
8. Replace the electrical cell doors mechanism to prevent malfunction of the cell door locks during the operation of swamp coolers.
9. Replace the existing electrical cell door lock control console and the existing electrical door controls with new electronic cell door mechanism and manual overrides.
10. Provide a separate storage area for the storage of flammable chemicals.
11. Provide a separate storage area for evidence.
12. Provide a new boiler and hot water tank.
13. Provide a new camera system with 32 cameras with zoom, pan and tilt and two recording cameras. Provide four high-resolution monitors.
14. Provide all provisions for the use of the facility by disabled staff, visitors and inmates.
15. Provide a secure staging area sufficiently separated from the facility, for the evacuation of inmates during an emergency.
16. Provide appropriate sliding fence gates, fence gate operators, keypads and sensors to secure the perimeter fence.
17. Repair all roof leaks in the metal roof. Provide new flashing and seal around all the penetrations of the roof-mounted HVAC equipment and roof-mounted swamp coolers.
18. Repair the facility block-wall structure and stabilize the settling foundation.
19. Replace existing block-wall partitions with filled-in and grouted block-wall partitions.
20. Repair all existing door hardware with new secure door hardware in non-housing areas.
21. Replace all aboveground plumbing water lines and clean all underground sanitary sewer lines.
22. Replace 16 existing combination sink/lavatory units.
23. Provide appropriate security fence topped with razor wire and provide minimum secured fence gates that are monitored by cameras.
24. Replace all existing HVAC units, swamp coolers and associated controls and control wiring.
25. Replace all plexiglass windows with bullet-resistant windows at the dispatch and central control station.

DRAFT

25. Medical Response at the Facility
There is a small room to provide medical response and medications at the facility. There is no routine testing for HIV or hepatitis. Inmates are tested for tuberculosis once every year. The emergency service of the Hopi Health Care center is called for all healthcare needs. The emergency service responds in less than 10 minutes.

26. Booking Process at the Facility
The booking process is insecure and conducted in the corridor through the window that opens into the central control station. A non-recording camera monitors the process. The Spillman software system is used for bookings and releases; however, Dorothy Fulton at the BIA requested that the logs continue to be maintained manually. Thus a system of manual logs is maintained for daily events rather than using the Spillman system.

27. Food Service at the Facility
Food service is very poor and is provided through the kitchen at the facility. Eight inmates in the dining hall reported concurrently that they are hungry and that the food is very soupy and generally consists of noodles, pasta, spaghetti and sauces with very little or no meat. It was noted that the food is very heavy on carbohydrates and lacks protein. The cook and the detention supervisor indicated that 1200 calories are provided to each inmate per day, which was contrary to the posted nutritional menu at the facility.
The kitchen/food budget is approximately $2500 every two weeks or roughly $5,000 per month regardless of the number of inmates at the facility. The facility can house up to 36 inmates on an average day. There were 22 inmates on the day of the visit.
The cook indicated that he stretches out the food dollars, which at times can get down to as low as $90 in the outstanding credit account with the suppliers. The detention officer reported that she and the cook have brought food using their personal funds, to feed the inmates. Both the detention officer and the cook reported that they are underfunded for the food. They reported that they have complained to the District Supervisors who have responded that they do not have enough money.
Upon further inspection 60 pounds of meat was observed in the freezer. The cook indicated that he may be able to stretch it for two weeks (30 inmates for lunch and dinner = 60 meals per day x 14 days = 840 meals) depending on the number of inmates at the facility.
There has been one food fight in the past. The detention officer and the cook are expected to feed all of the inmates on a fixed food budget, regardless of the number of inmates at the facility.

28. Kitchen and Dining Staff at the Facility
There is one cook and two food handlers who serve as the dining staff at the facility.

DRAFT

29. Housekeeping Staff at the Facility
The inmates provide for all the cleaning in the housing unit and the staff cleans the offices.

30. Repairs and Maintenance Staff at the Facility
The facility manager with a staff of four provides for all the repairs and maintenance for all BIA buildings in the area. The facility manager reported a shortage of funds, indicating that only $7,000 is left for repairs and maintenance for the remaining 10 weeks in this fiscal year. So as to set aside these funds for contingencies, funding for all repairs and maintenance has been stopped for this fiscal year.

31. Inmate Services Provided at the Facility
There are no services for the benefit of inmates at this facility.

32. Healthcare Assistance in the Community
The Hopi Healthcare Center provides healthcare assistance in the community. This center is located about 10 minutes away from the facility.

33. Other Support Agencies in the Community
There are no additional structured support agencies in the community.

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 222, 14 and 42,417 per 100,000 inhabitants for violent crime, property crime and other crimes, respectively.

35. Potentially Harmful Conditions and Behavior of Inmates
Inmates may harm themselves by using articles of clothing, holes in the bunk bed pans, surface-mounted sprinkler lines in the laundry, available kitchen utensils and knives from the kitchen drawer and utility tools from the transportation van.

36. Accountability and Reporting of Incidents
All incidents are reported to the BIA.

DRAFT

Special Note
The detention officer reported that they often buy office supplies and toiletries for inmates using their personal funds. They do not ask for reimbursement for fear of reprimand – that they will 'get written up' by the District Supervisor. The detention officer reported that she 'got brave' at one time and submitted two items for reimbursement in the approximate amounts of $50 and $38 for items that she had purchased for the inmates at WalMart/Sam's Club in Flagstaff. She has never been reimbursed from the District. The District Supervisor squelched the request for reimbursement.
She reported that she has spent her personal funds up to a maximum of $200 at a given time for items that were needed by the facility. Because of fear of reprimand, she has not been submitting for reimbursement.

Section 3

Facility Review
July 14, 2006

This facility was built 26 years ago in 1980 as a rehabilitation center, to house both adults and juveniles. The facility was later converted into a detention facility. At yet a later date, the facility was converted into an all-adult detention facility since it did not have appropriate separation for sight and sound to accommodate juveniles. Housing for juveniles was later discontinued. Subsequently the facility was converted to a '72-hour booking and holding' facility. The inappropriate use of the facility as an adult detention facility is evident. The facility is shared with the Police and Dispatch. Inmates are sent to the Coconino County detention facility for long-term housing.

DRAFT

1. Exterior Site Conditions
   The exterior site conditions are poor. The general public has relatively easy access to perimeter of the facility.

2. Exterior Exercise/Recreation Area
   The exterior/recreation area consists of a chain-link fence topped with razor wire. The space is seldom used for its intended purposes because of a lack of surveillance cameras with appropriate coverage and a shortage of staff to monitor the inmates.

3. Exterior Perimeter Security
   The exterior perimeter security is minimal. While there is a chain-link fence around half of the facility, the two fence-gates are normally left open such that the general public has access up to the perimeter walls of the facility. The side door leading to the exterior from the kitchen area does not have a tumbler in the door-locking hardware mechanism. The door cannot be locked. The grouting between the CMU blocks in the hollow core block-wall around the perimeter has been scraped out by the inmates, to permit removal of the blocks and create openings from the cells. Once outside the perimeter walls of the facility, there is no security barrier stopping an inmate from walking away.
   There are a number of blind spots created by a number of corners and decorative winged buttresses around the perimeter of the facility, such that the cameras are unable to monitor the entire perimeter. A number of inmates have escaped over time.

4. Sally Port Security
   There is no Sally port. Inmates are escorted around the facility through one of the two garages in the back. There is a fenced area enclosing the garages, which creates an illusion of a secured area. The sliding gate in the fence is

normally kept open. The fenced enclosure includes a number of Conex boxes and temporary wooden enclosures that are used for the storage of 'chemical flammables' and 'evidence'. One of the garages is used as a laundry that houses both washers and dryers. Inmates provide the duties at the laundry. The open laundry (garage) door and the unlocked fence gate provide an easy 'walk-away' of the laundry-duty inmate from the facility.

5. Building Interior Security
The interior security of the building is very poor. There is a system of 16 cameras that have a very low resolution and many with smudged lenses. The cameras do not have zoom, pan or tilt capability and are not in sufficient numbers to provide a complete coverage for the interior and exterior of the building. There is no recording camera at the booking station. There is no intercom system between the cells and the officers on duty. The officers do not have a radio with push-to-talk switches. The interior cell doors are electrically operated with the mechanical override. Several cell doors are inoperative electrically and it is not known if the remaining cell doors will operate electrically should there be an emergency.

6. Building Structure
The building consists of a block-wall construction with a slab-on-grade. The physical building foundations are settling. This settlement is causing 45° stress separation of the exterior block-wall at a number of locations. The maintenance staff has attempted to fill in the cracks or cover them with sheets of plywood. Such measures will not stop the continuing settlement. The perimeter block-wall is hollow and has been detrimental to the continued security of the inmates.

7. Building Roof
The building consists of a pitched metal roof. There have been a number of leaks at the flashings from the overflowing drain pans from each of the plugged-up overflow drains at the swamp coolers. The soffits consist of thin sheet steel that is susceptible to inappropriately secured light fixtures. These light fixtures in the soffits can be pushed out creating openings that are open to the attic space below the pitched roof. The attic space is accessible from within the building through unprotected openings in the ceiling.

8. Interior Ceilings
The interior ceilings consist of sheetrock ceilings in offices and the dormitories. Hard concrete panel ceilings are installed in individual cells and the detoxification cells. In the past inmates have removed light fixtures, damper louvers, air registers and security bars to create openings in the interior ceilings and exterior soffits through which they have escaped.

9. Interior Walls
The interior walls consist of hollow CMU block-wall. Inmates have escaped by scraping out the grouting and mortar of the perimeter walls, two sides

DRAFT

part of which were helped by the 'separation cracks' from the settling foundations.

10. Interior Flooring
The interior flooring consists of vinyl tile on concrete floor. Except for the flooring at one dormitory which was recently refurbished, the remaining flooring is worn down and in severe disrepair.

11. Interior Dormitory Cells
The interior dormitories were originally designed for a rehabilitation center. They have 5-foot high hollow block-wall partitions that were built to create 'private spaces' for individual beds within the dormitory. These 'private spaces' are now furnished with double bunk beds, whose corner posts could be used by the inmates to harm themselves. The hollow CMU blocks in the partitioning block-walls have been loosened by the inmates. These freed-up concrete blocks in the dormitory now create a weapon that could be used by the inmates.

12. Interior Isolation Cells
The interior isolation cells have plexiglass walls and cell doors that are very difficult to roll open or shut on their roller channels. The keys are difficult to twist in the locking hardware. The sink/lavatory combination units do not have sufficient water pressure for the inmates to get a drink of water.

13. Interior Detoxification Cells
The interior detoxification cells consist of one plexiglass wall and hard surfaces on the remaining walls. The sink/lavatory combination units do not have sufficient water pressure for the inmates to get a drink of water.

14. Booking and Intake Area
The booking and intake area is insecure and inappropriate. Booking is conducted in the corridor/open space through a window at the central control station. Inmates spit on the detention officers during the booking while the detention officers are unaware of any infectious diseases that the inmate may be carrying. The camera cannot record the booking process. There is no restraining chair nearby.

15. Visitation Area
There is a small visitation area that allows communications through an intercom system.

16. Kitchen, Food Preparation and Pantry Area
The kitchen has very poor air circulation and almost no cooling. The kitchen staff generally leaves the exterior door open for cooling and ventilation since the kitchen is very hot and stuffy at most times. There are insufficient secured cabinets to store all knives and utensils.

DRAFT

17. Dining Area
The dining area has very poor air circulation and almost no cooling. All air vents at the ceiling registers were found to be in the closed position. No air circulation was observed even when all the vents were opened and the outside air temperature was 94°F.

18. Day Room Area
There is no day room for the facility. Small common spaces outside a cluster of three cells are used as a day room for the inmates who occupy those cells. Plastic lawn chairs are used as furniture in the day rooms.

19. Vocational Training Area
There is no vocational training area at the facility.

20. First Aid and Medical Assistance Area
There is a small first aid and medical assistance area at the facility. A small refrigerator is provided for medications. A screened medicine dispensing window is provided. There is no physical barrier between the screened window and the officer inside. There were no medications in the refrigerator at the time of the visit.

21. Toilets and Showers
All toilets fixtures in the combination sink/lavatory units are slow to flush. The timing mechanism of the shower push-buttons are inoperative forcing a constant push for continued water from the shower head.

22. HVAC System
The HVAC system consists of a number of roof-mounted swamp coolers several of which are inoperative. The thermostat controls are inoperative. The humidity caused by the non-tempered moist air from the swamp coolers renders many of the cell door mechanisms to be inoperative. Most of the housing area is devoid of any air circulation or cooling.

23. Plumbing System
The plumbing system is in disrepair. The openings in the water pipes have been reduced over time with the buildup of mineral salts that resulted from not having any water softeners to neutralize the salts. The water pressure at all sink/lavatory units and showerheads is very low. The water pressure is low enough that inmates cannot use the water faucets at the sinks for drinking or washing.
The flue from the dryers located in the garage is disconnected and needs to be repaired.

24. Lighting System
The lighting levels in the housing units are low for lack of replacement lamps. Light fixtures are not vandal-resistant and inmates have successfully removed light fixtures in the past to escape through the openings.

DRAFT

25. Electrical Power System
There is sufficient capacity for the electrical power system; however, there is insufficient electrical distribution within the facility. A battery-backed emergency egress lighting system is provided. However, there is no record of routine testing for the system.

26. IT System
There is adequate hardware for the amount of IT use at the facility. The facility uses a combination of IT and a manual system for their operations.

27. Security System
There is a lack of sufficient security systems at the facility. There is a system of 16 cameras with very poor resolution and insufficient coverage and one monitor into central control station. There is no intercom system between the cells and the central control station.

28. Energy Usage and Conservation
The facility uses low energy which results from a fairly minimal HVAC system, a large thermal mass from the block-wall construction and an attic space.

29. Fire Egress – Exterior and/or Secured Areas
The interior cell doors are electrically operated with a mechanical override system. Several cell doors are inoperative electrically and it is not known if the remaining cell doors will operate electrically should there be an emergency. The cells with inoperative cell doors are not used at the present time.
Because of the egress traffic patterns and the manually keyed locks that have to be physically unlocked, the facility cannot be evacuated in three minutes. One inmate was left in his isolation cell during a recent fire emergency evacuation. This evacuation took between eight to nine minutes, which is unacceptable.
There is no acceptable secured staging area at a sufficient distance to evacuate all of the inmates in an emergency.

30. Fire Alarm, Fire Extinguishers and Sprinkler System
There are a fire alarm system and fire extinguishers that are located at appropriate locations. A limited fire sprinkler system with two sprinkler heads is located in one of the garages that house the laundry. There is no record of routine testing for these systems.

31. Building Access for Staff and Inmates
The facility staff accesses the building from the front main entrance. The kitchen staff uses the side door. Inmates are escorted through the back door in the garage.

DRAFT

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 Reservation[1]
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.

DRAFT

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 Apaches 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, Coyoteros, 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.

DRAFT

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 1871. 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.

DRAFT

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.

DRAFT

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

DRAFT

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

[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.

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

DRAFT

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.

DRAFT

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.

DRAFT

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; CERT - 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; Inmates-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.

DRAFT

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.

DRAFT

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.

DRAFT

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

DRAFT

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 (HIS), 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'.

DRAFT

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

DRAFT

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.

DRAFT

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.

DRAFT

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 stem.

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.

DRAFT

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.

DRAFT

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.

DRAFT

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 as Appendix E, Critical Concerns - Pictorials.

DRAFT

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 under-funded 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.

DRAFT

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.

DRAFT

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

DRAFT

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 reported[1] 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 180,462[2]. 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 population[3] 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.

DRAFT

[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.

DRAFT

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.

DRAFT

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

DRAFT

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.

DRAFT

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

DRAFT

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 Sally port 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.

DRAFT

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.

DRAFT

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.

DRAFT

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.

DRAFT

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.

DRAFT

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

DRAFT

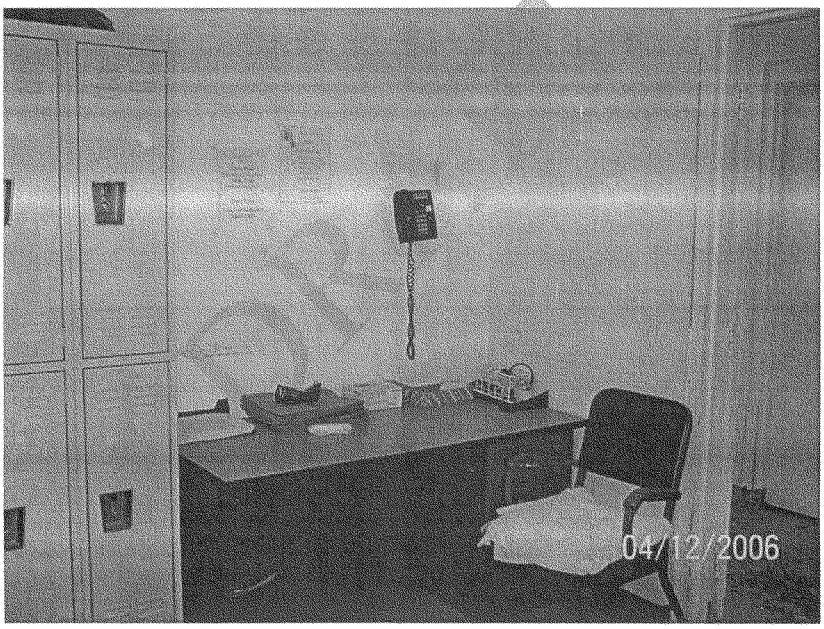
Booking – Intake Challenges

DRAFT

1 - Booking and Intake Challenges

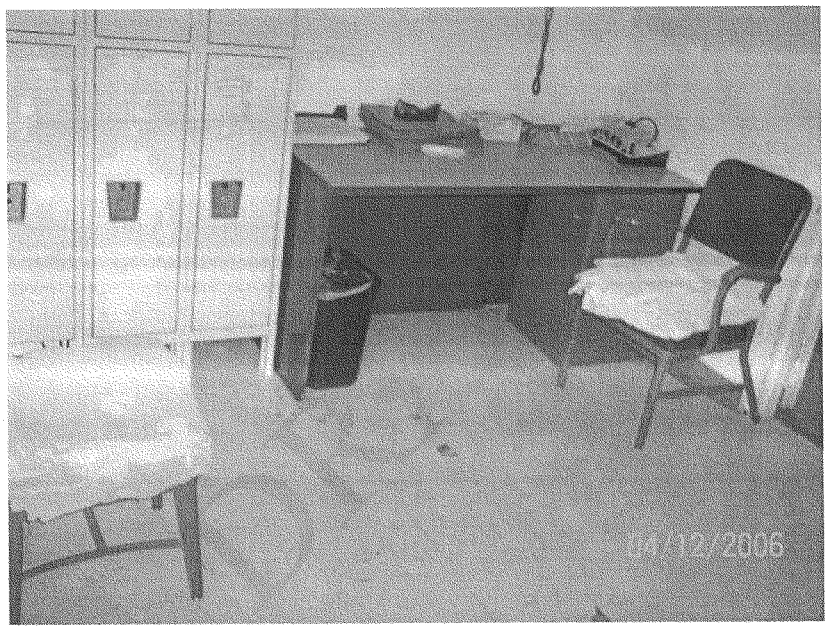
Safety and security of an officer is compromised as a result of dysfunctional and makeshift booking stations and intake space

Booking – Intake Challenges



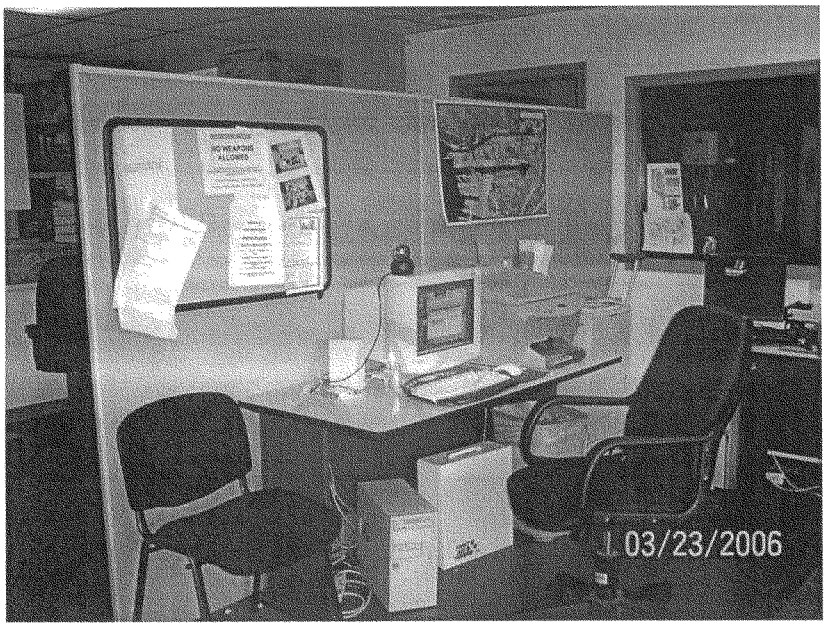
Booking Station consists of a desk and chair in the staff locker room

Booking – Intake Challenges

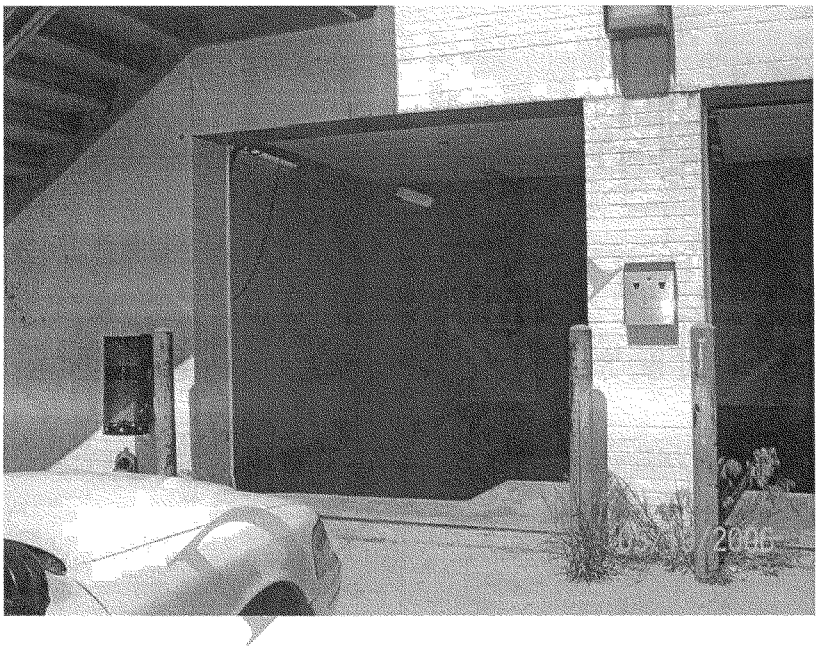


Inmate is seated on the chair across with opportunity to create a potential safety and security challenges for the booking officer

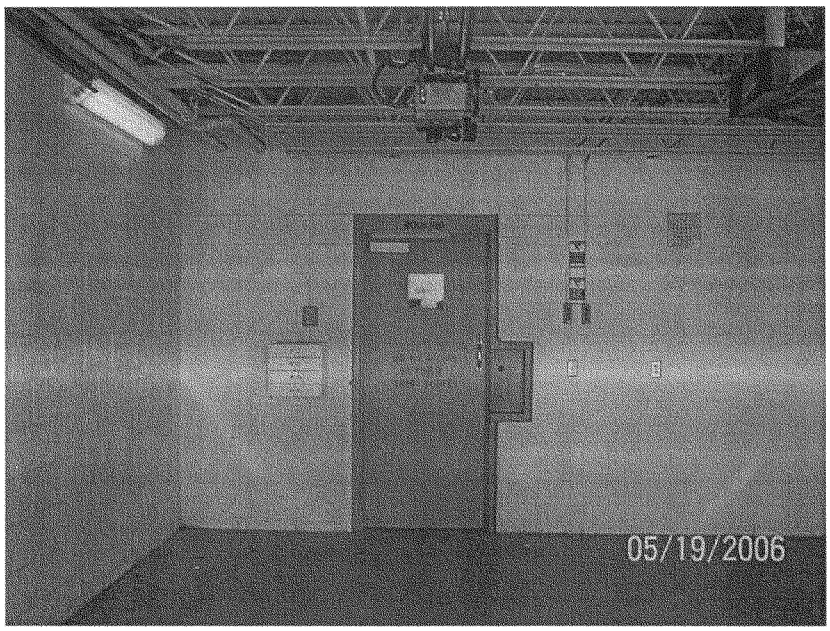
Booking – Intake Challenges



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

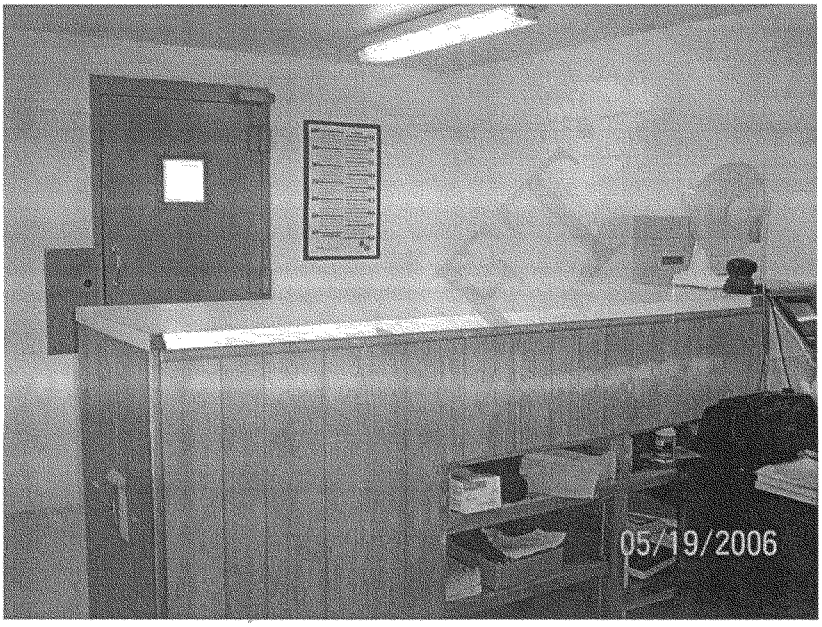


Door leading to the booking station

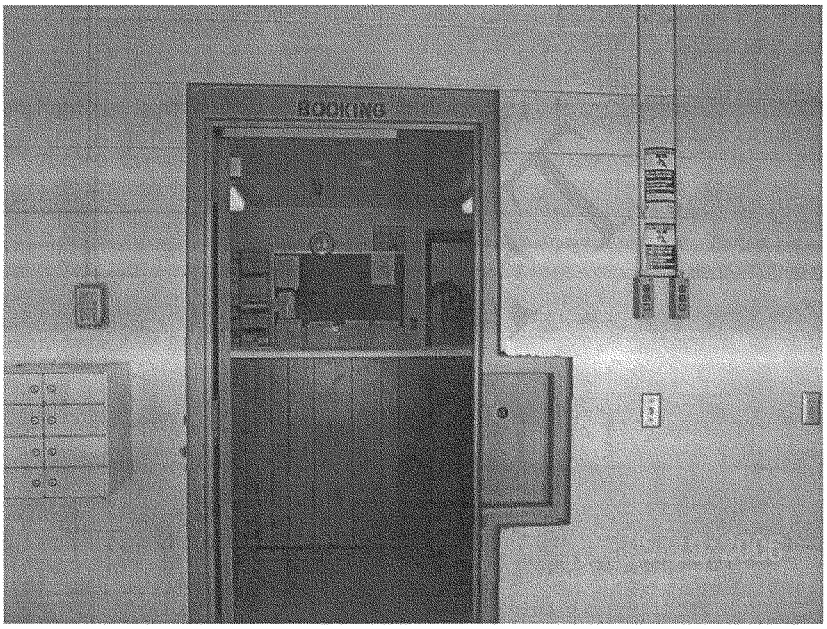
Booking – Intake Challenges

Reception Center/Booking Station with door to the garage exterior

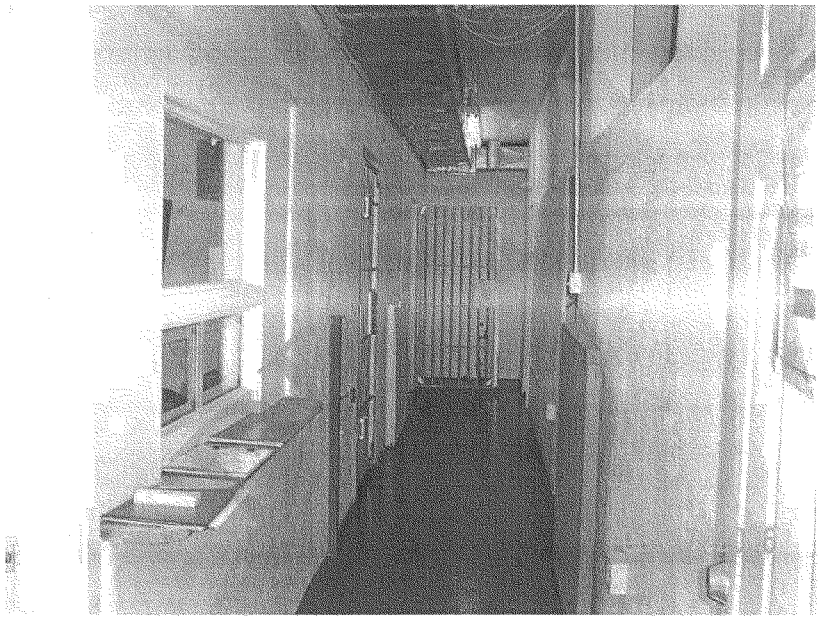
Booking – Intake Challenges



Unsecured and unsafe Booking Station Countertop



Entry from exterior to the unsecured booking station



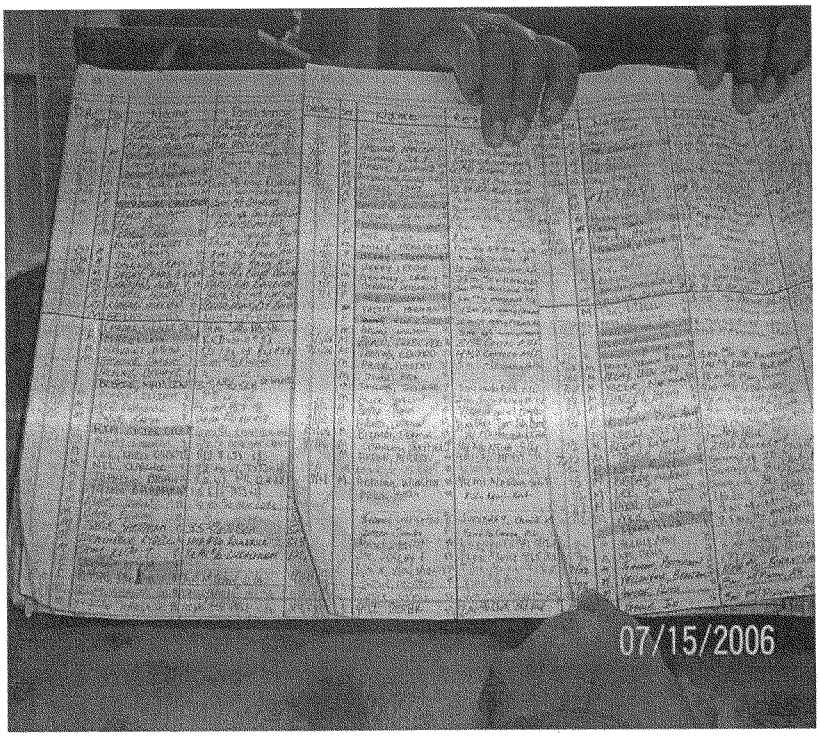
Booking Station in the corridor

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.

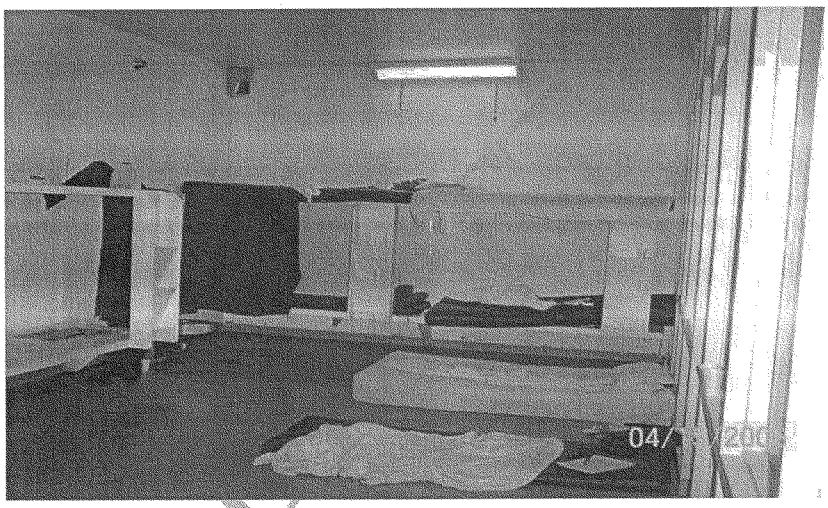
Far more calls for service are received than those that are arrested. Far more are arrested than those that are booked. Far more are booked than the space available to house them or food available to feed them. A very large percentage is simply let-go under a variety of arrangements and unwritten understandings.

DRAFT

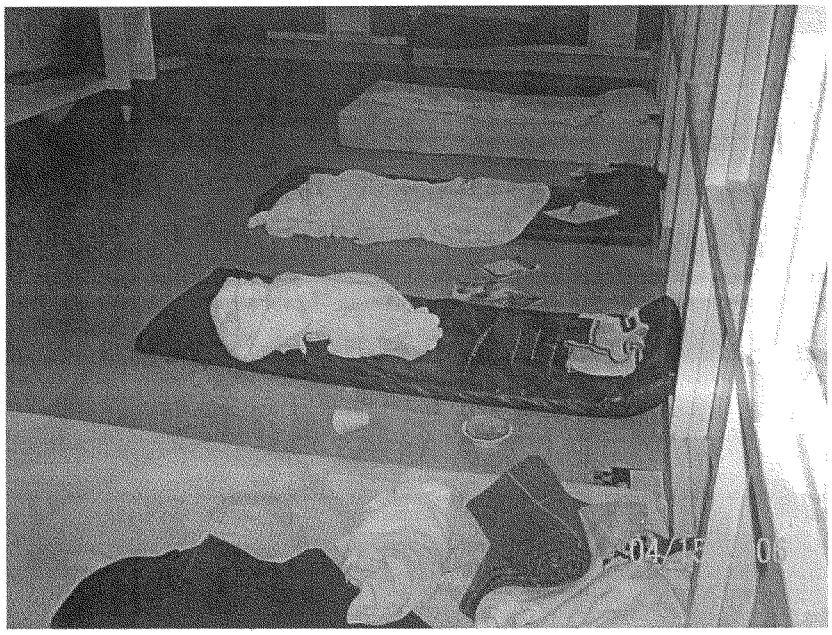


Booking Log – The numbers being booked far exceed the bed space. The excess are released to make room for the new arrivals. Others are 'stuffed' on the floor, in the corridors, special cages or any other available space.

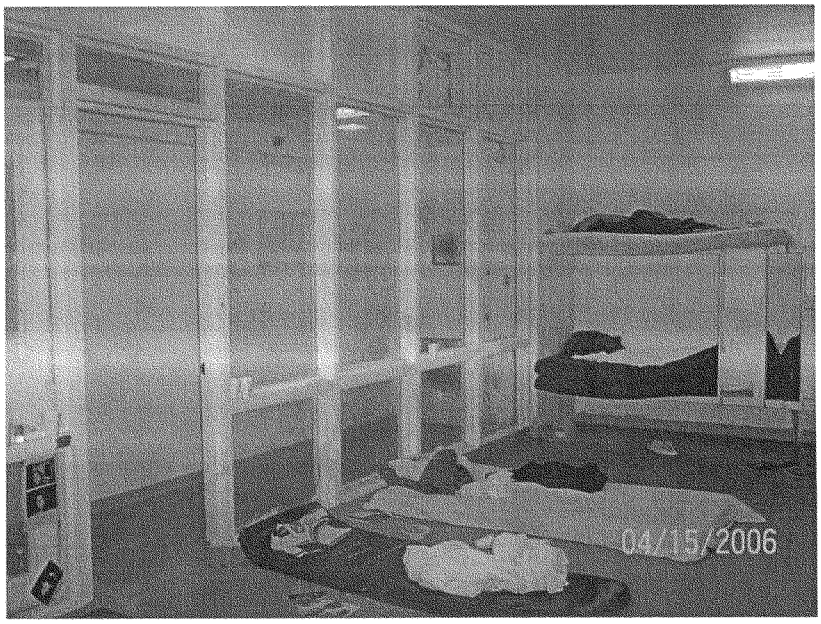
Cages and Housing



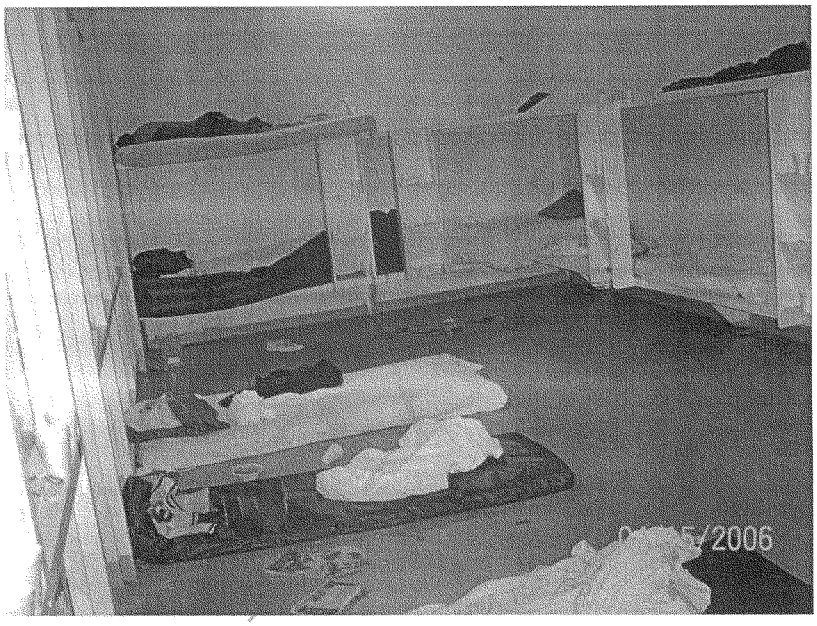
Accommodations



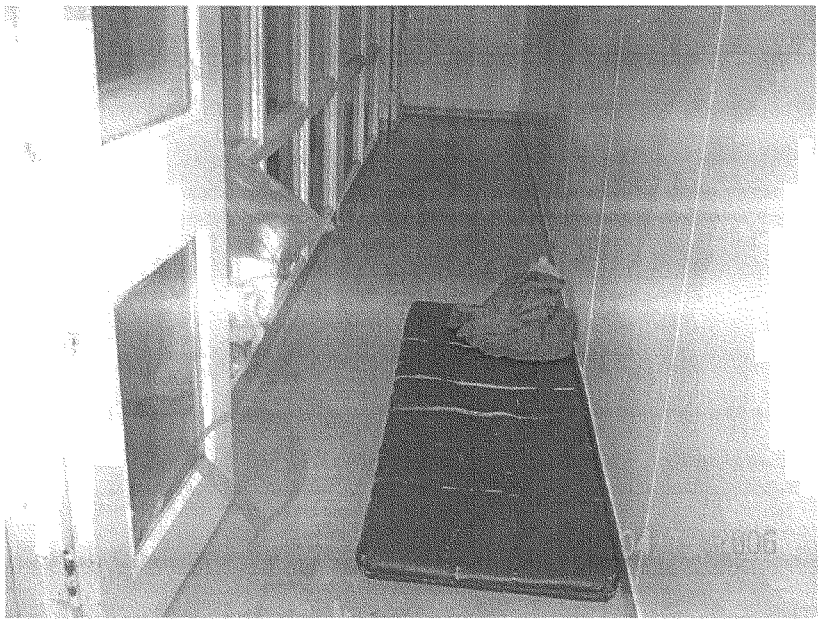
Dining and lodging



Plexiglas partitions and Styrofoam cups – Potential weapons

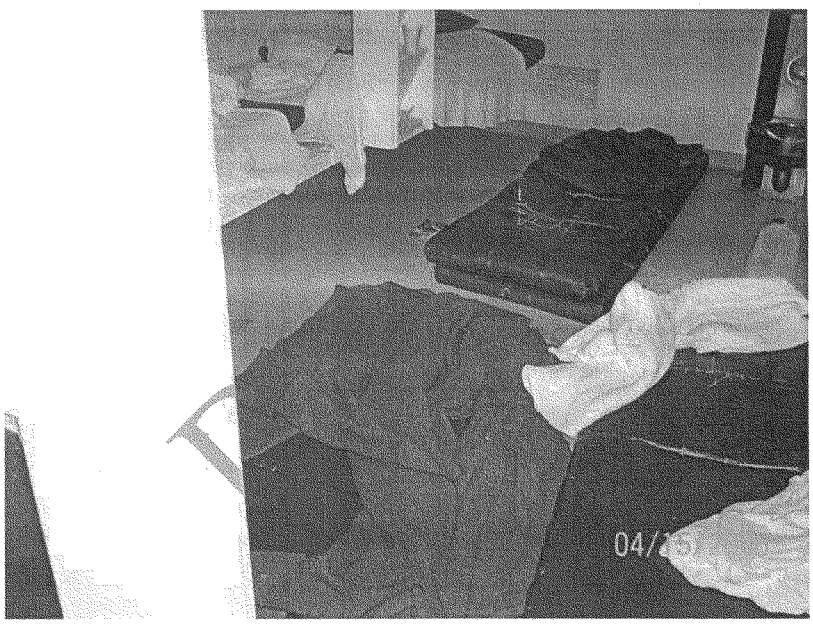


Accommodations

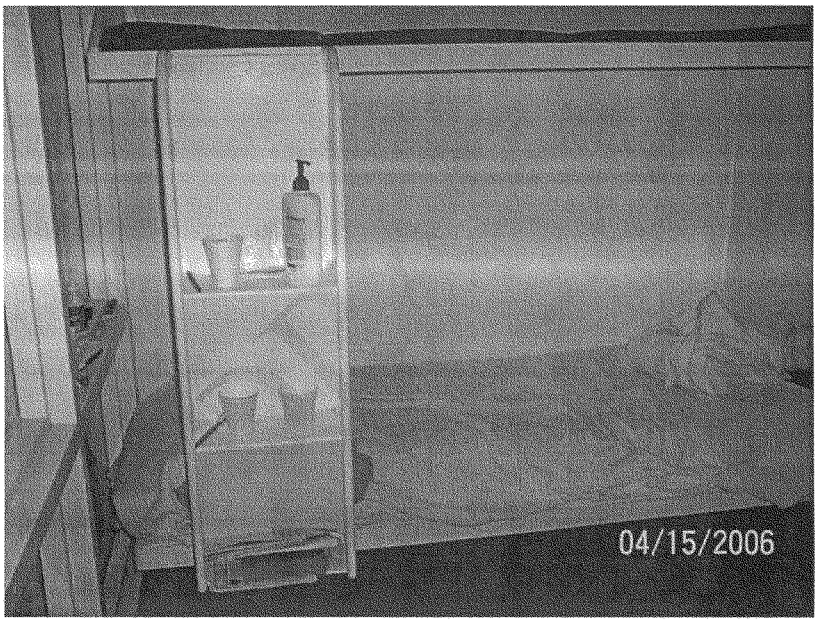


Accommodations

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



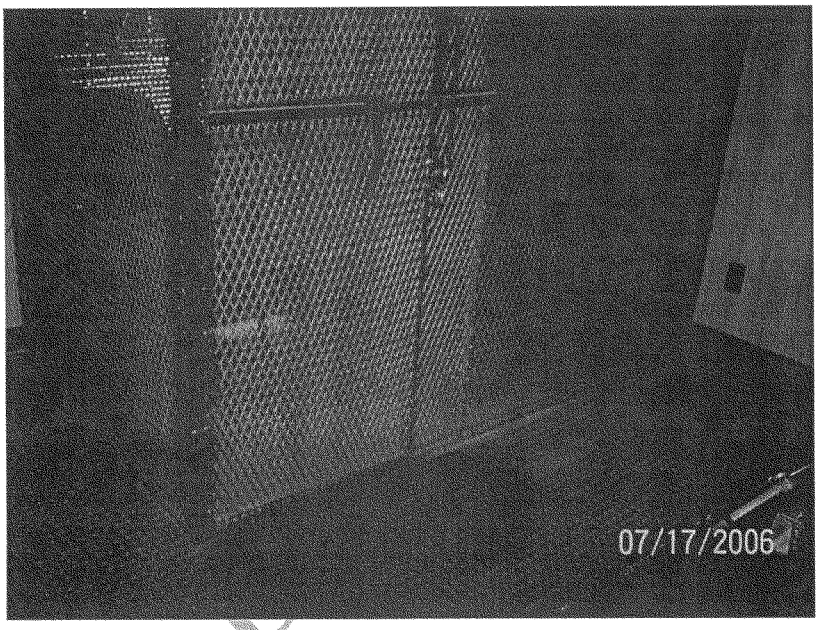
Dormitory Accommodations on cold concrete floors



Dormitory Accommodations

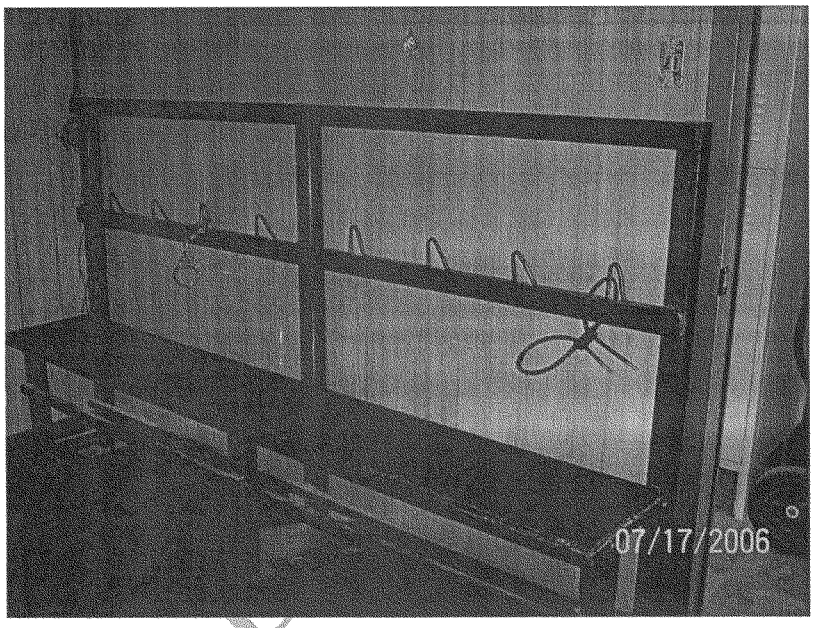
Cages and Housing

Cage accommodations

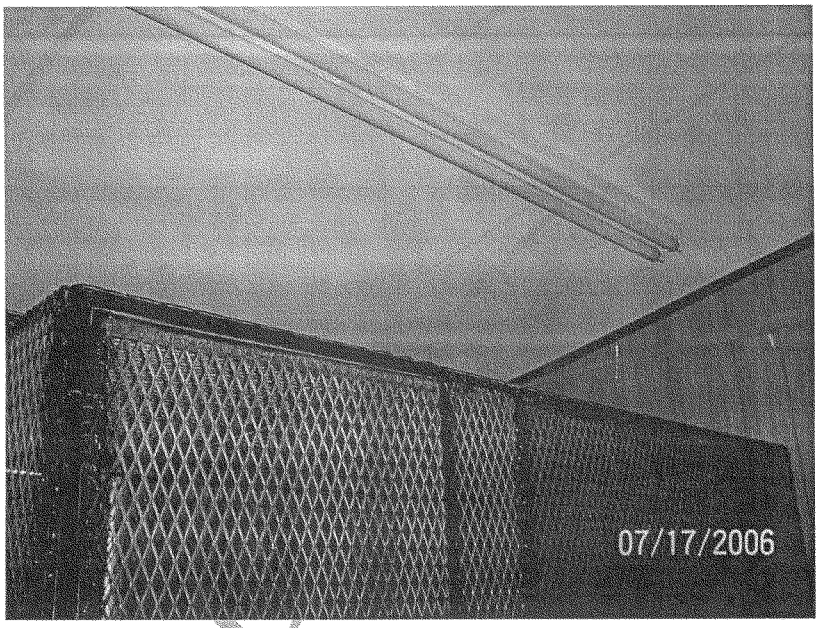


Accommodations for two. Two office chairs in a cage.

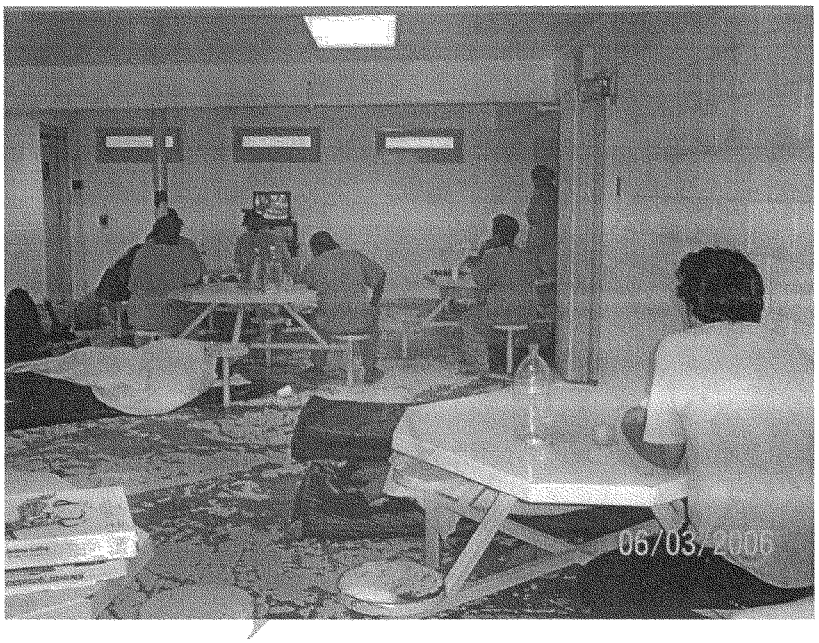
Bench with restraining gear, across from the cage



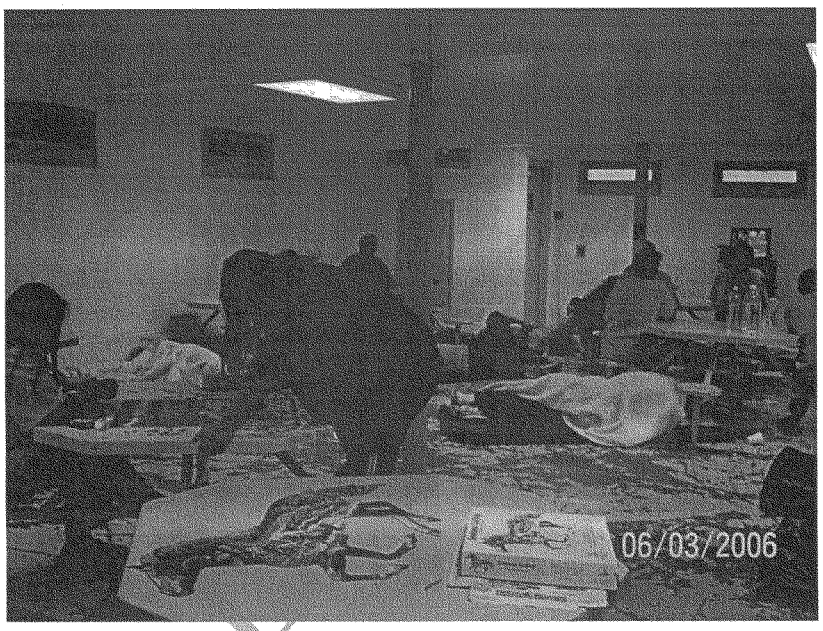
Bench with restraining gear



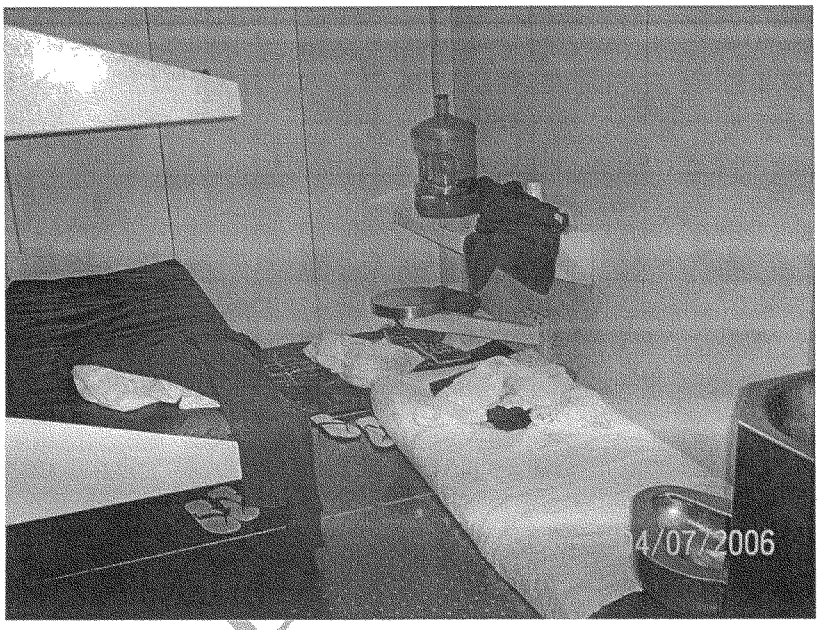
Open access above the cage



Sleeping quarters. Plastic water bottles. Styrofoam cups

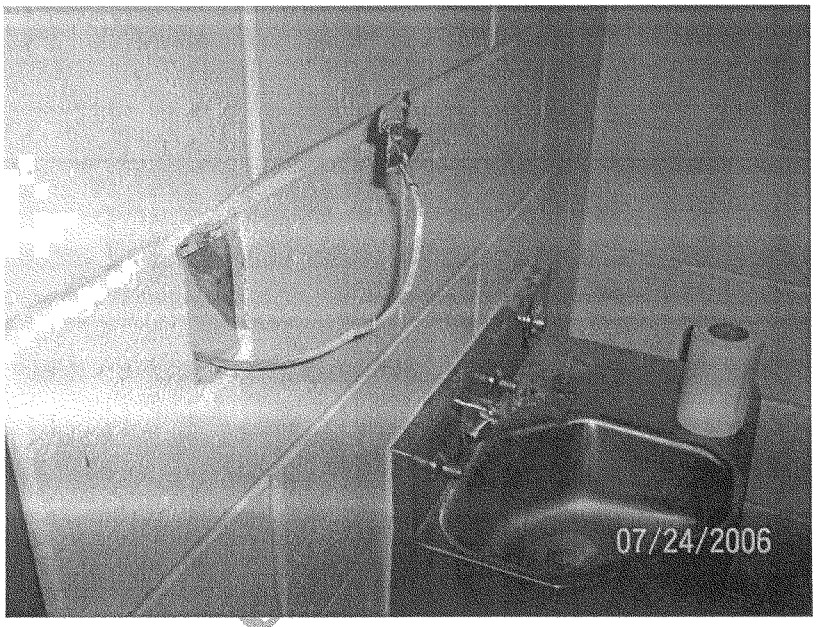


Another view of the lodging and dining quarters.

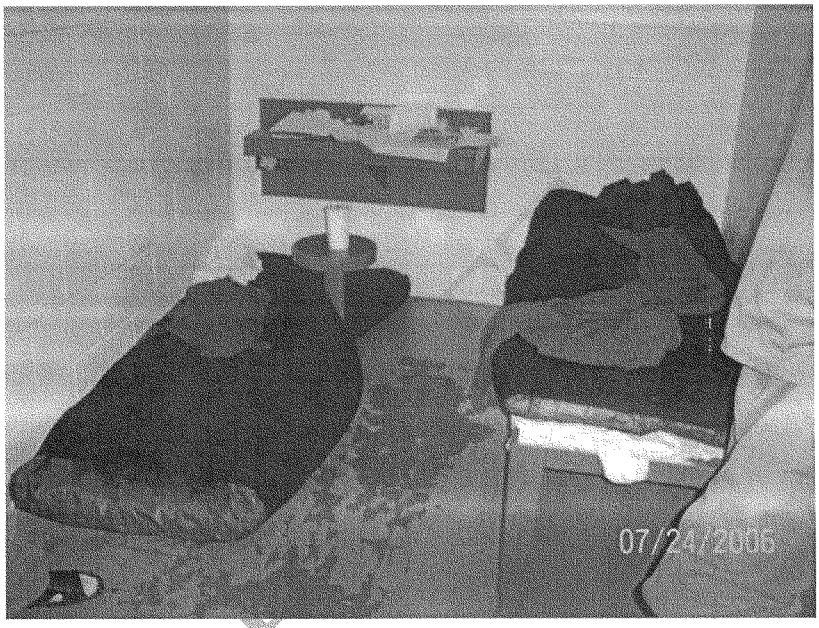


Sleeping quarters for the juvenile – Makeshift metallic boxes

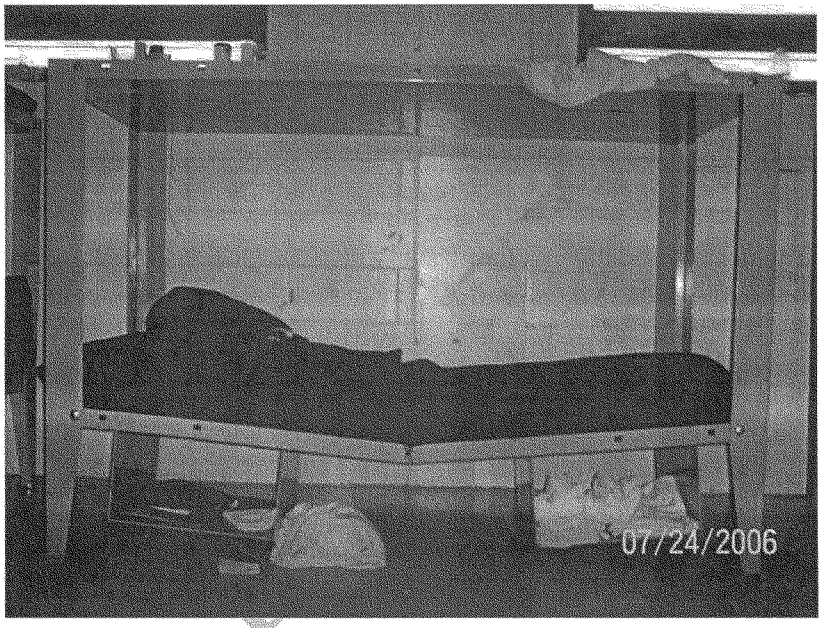
Unavailable cells.



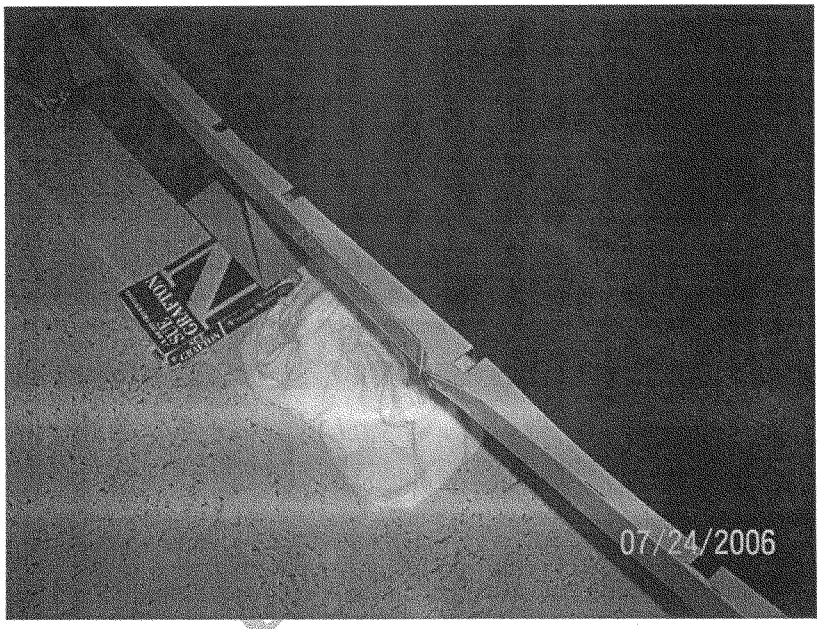
Electrical in disrepair in the cell – Cell out of commission



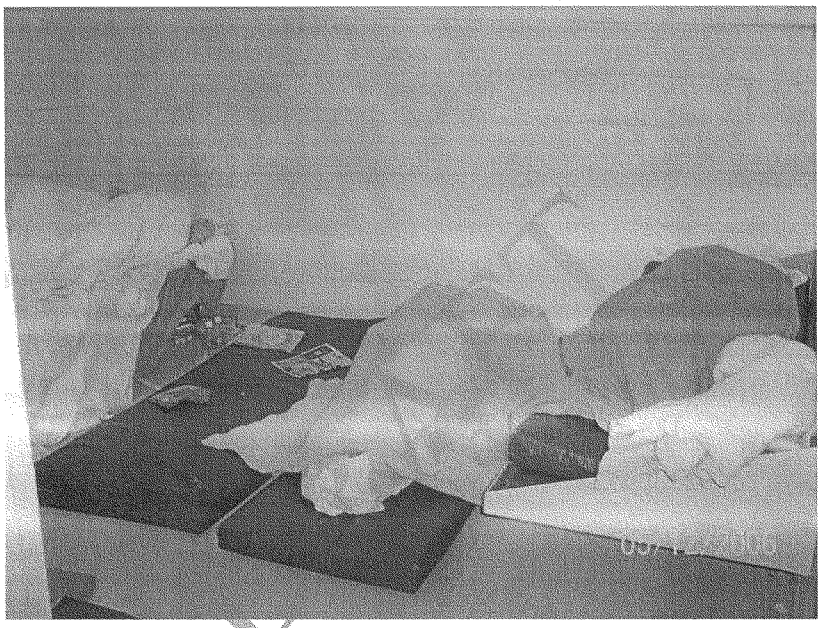
Living quarters.



Broken bunks in use

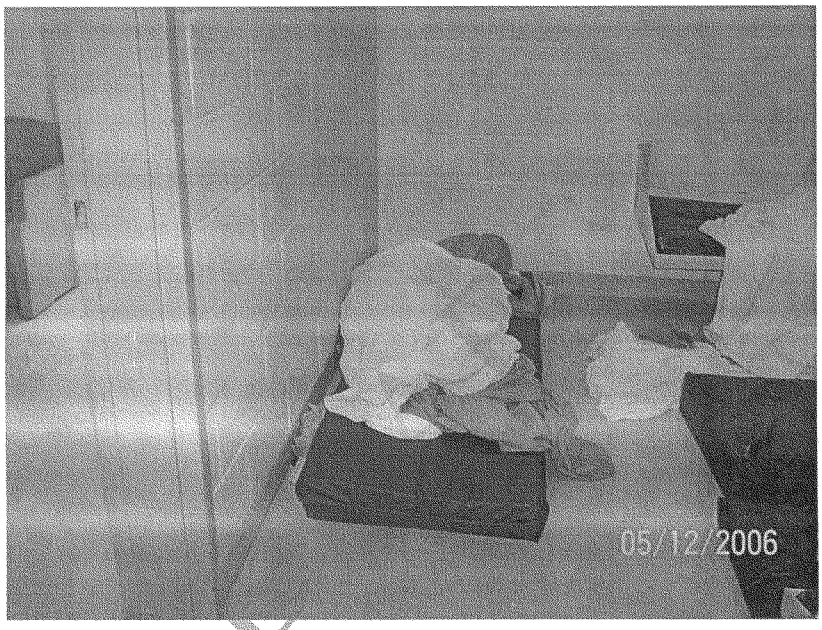


Twisted metal at the broken bunk



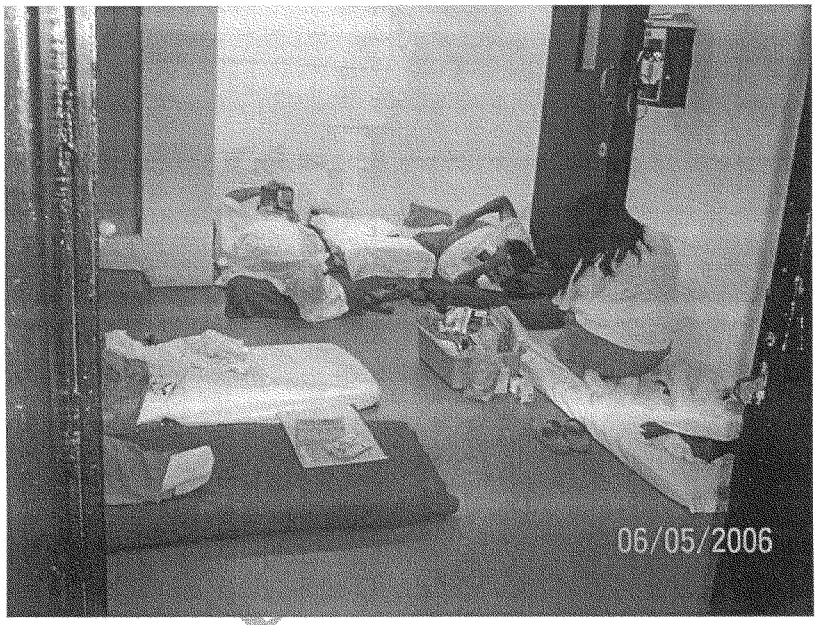
Accommodations

Cages and Housing

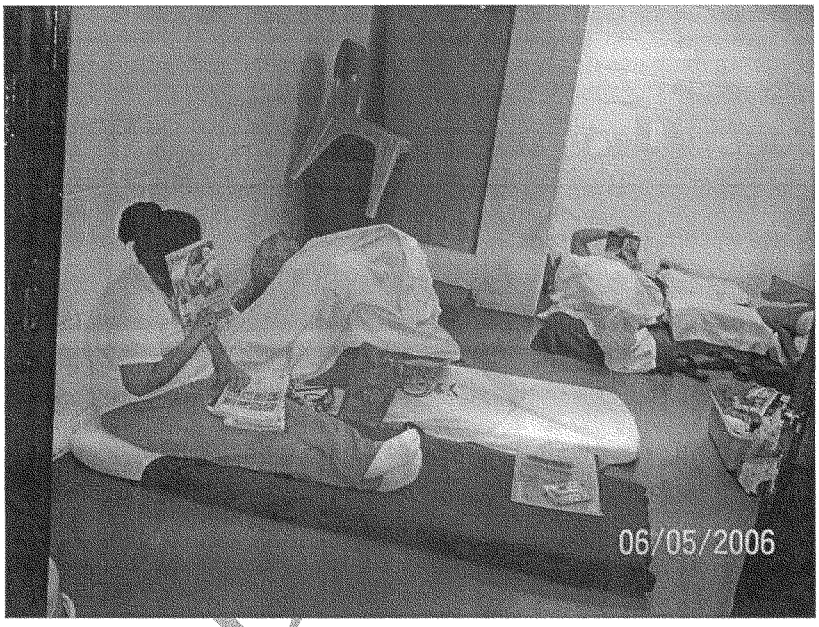


Accommodations

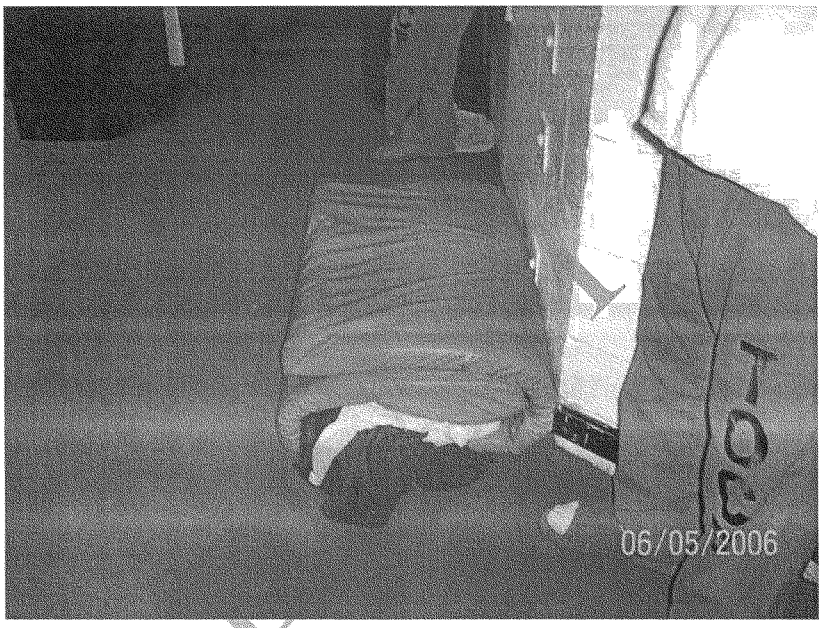
Detoxification Cage



Women's Dormitory

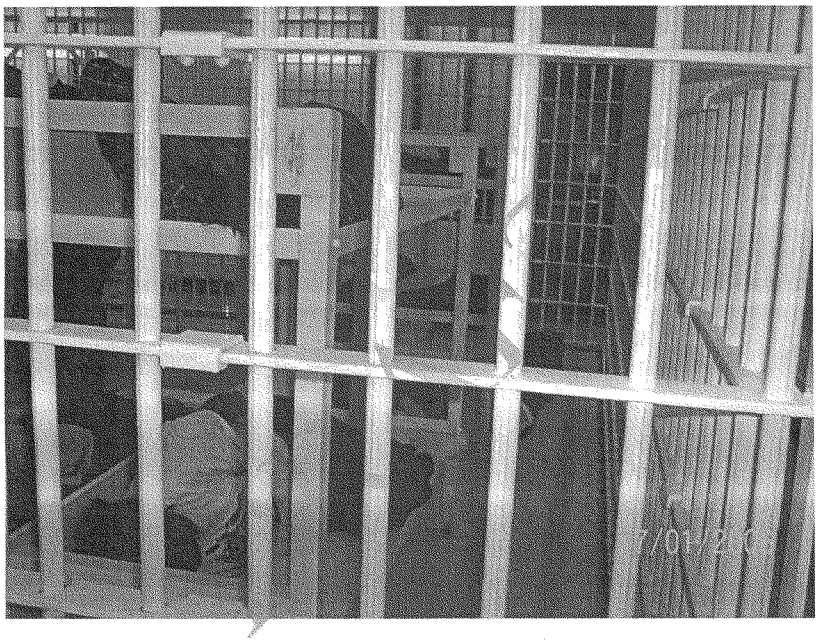


Women's Dormitory

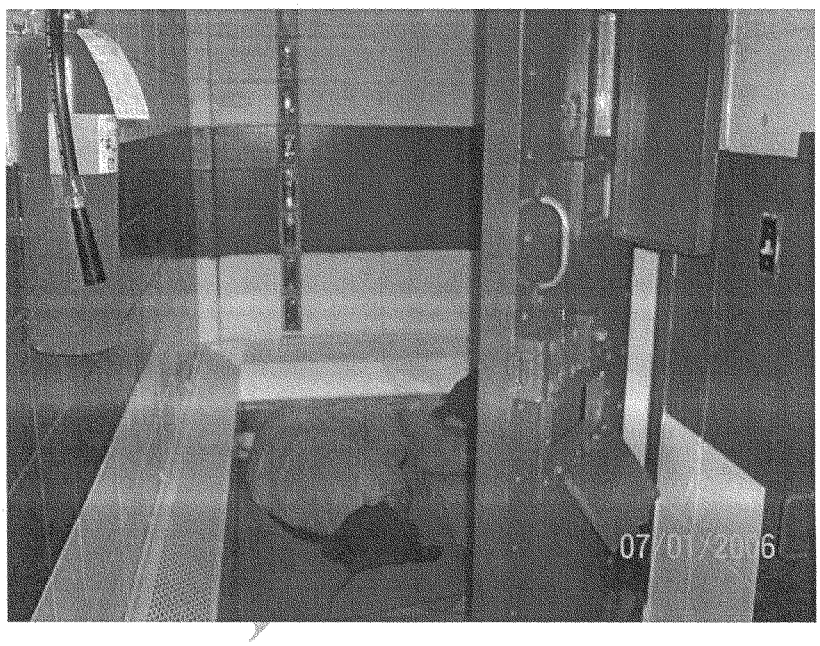


Sleeping quarters in the dining room

Three to a cell

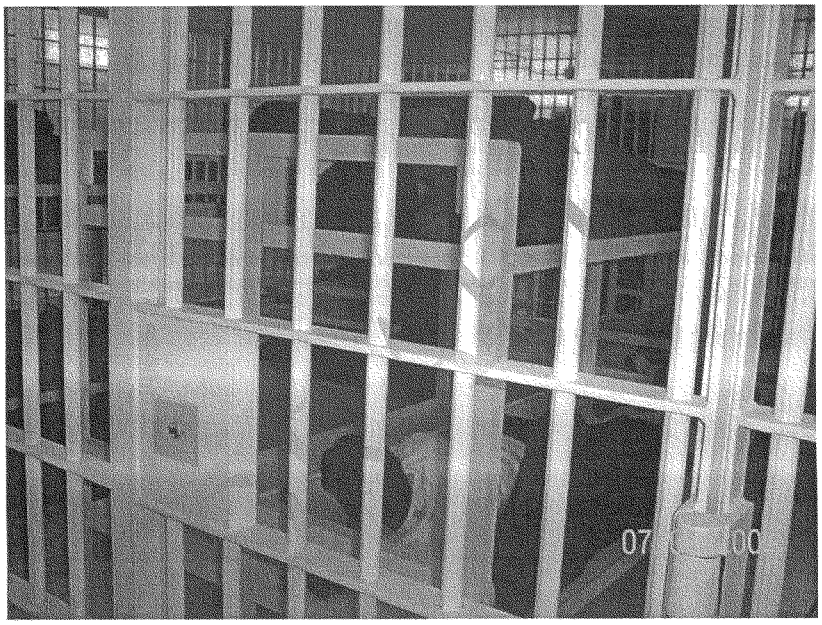


Overcrowding



Asleep in the corridors with cell door open for a lack of ventilation

Accommodations in the corridors



Doubled on a double bunk

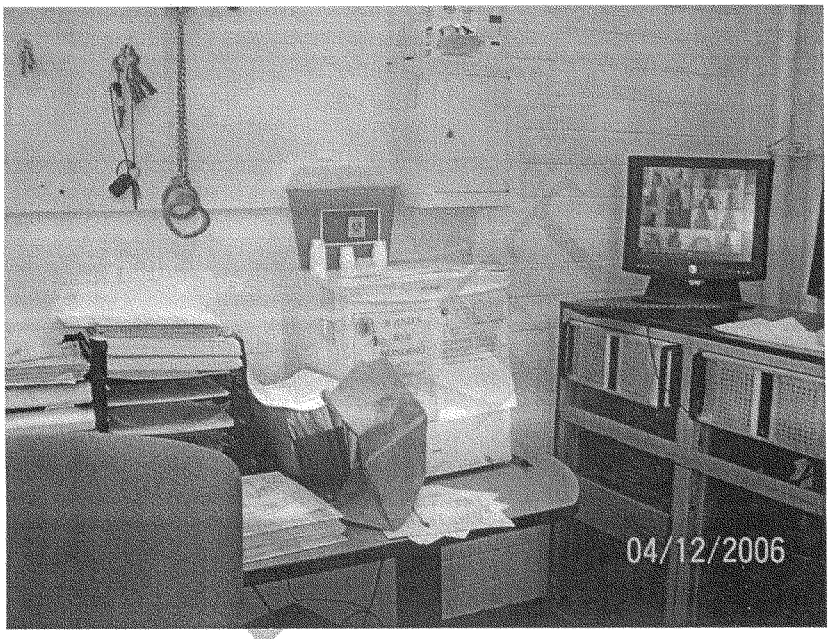
DRAFT

3 - Central Control Station Challenges

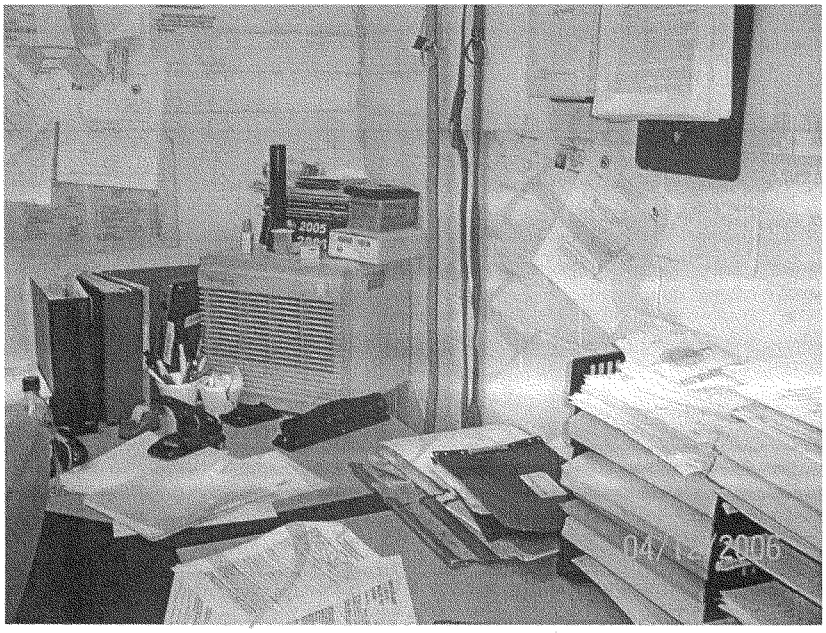
Central Control Stations are critical to the appropriate operations of Detention and Corrections. The pictures following indicate makeshift and dysfunctional arrangements to accommodate the changing laws and regulations, without consideration for an appropriate space in an existing facility. Such practices create an illusion of appropriate monitoring, jeopardizing the safety and security of inmates and officers.

Central Control Station Challenges

Central Control Station Monitors are located behind and away from view by the officer. Blank spots on the monitors indicate malfunctioning cameras aimed at that location

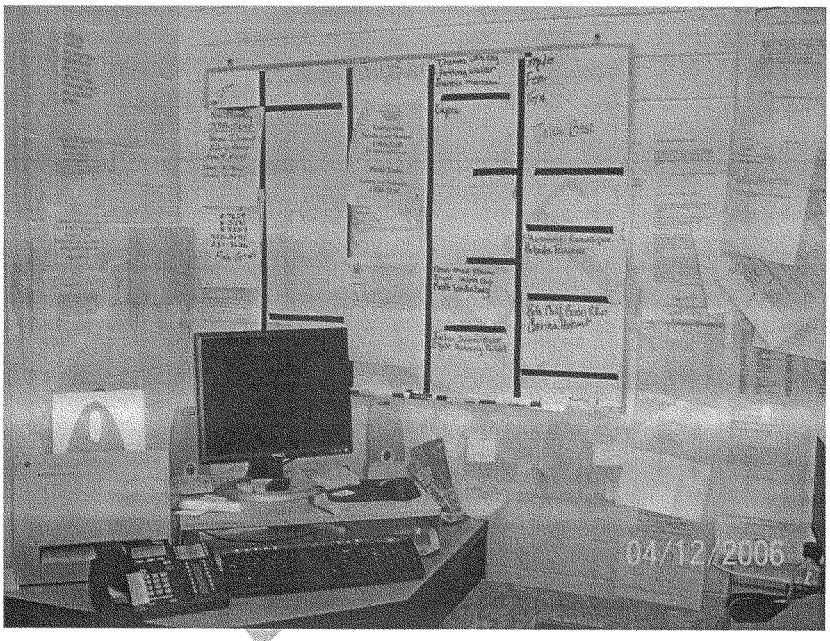


Monitors behind and away – View slightly to the left from the picture above

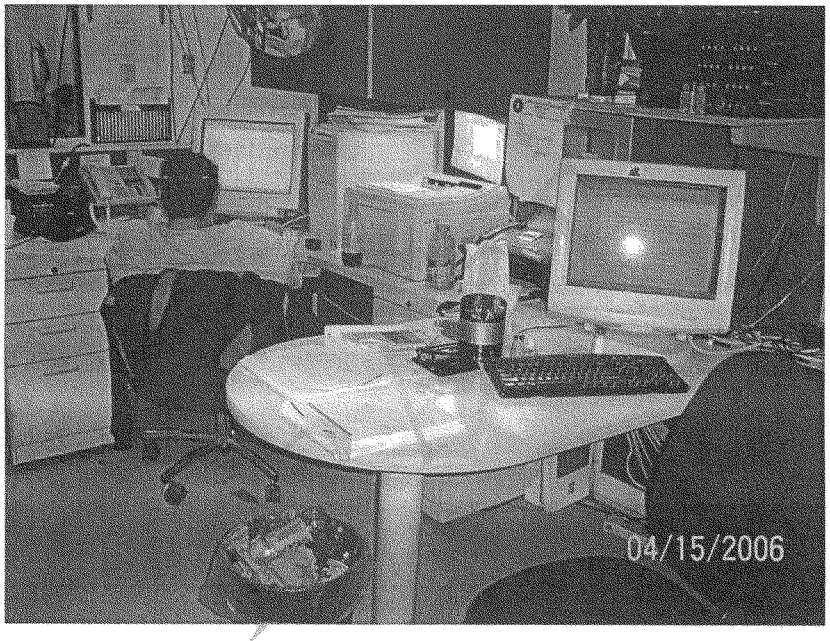


View more to the left from the previous picture

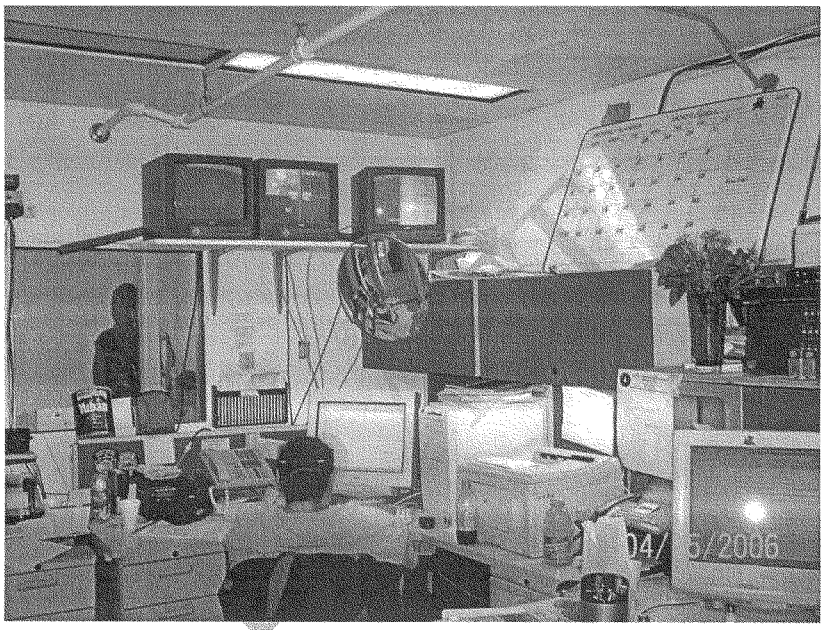
Central Control Station Challenges



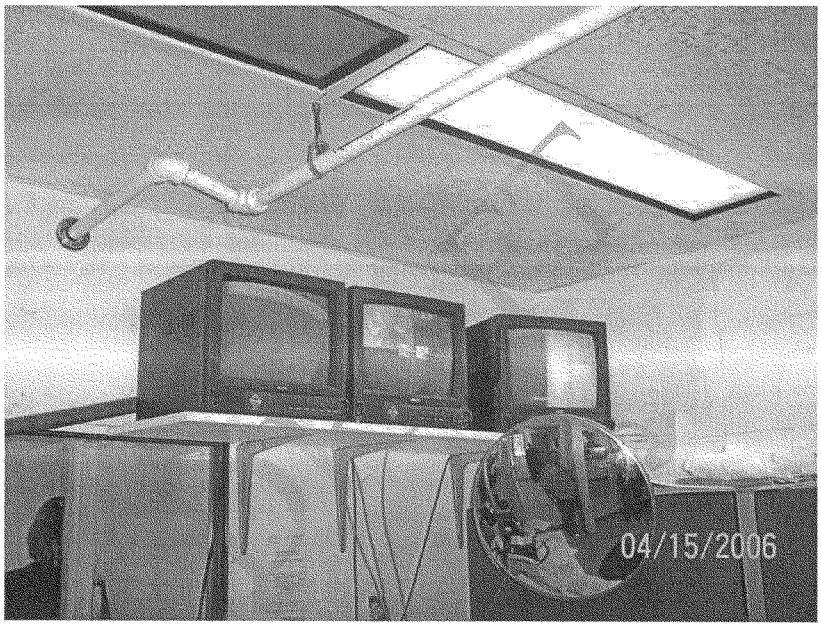
View more to the left from the picture above. Control Officer's work station with security camera monitors directly behind and not in her view.



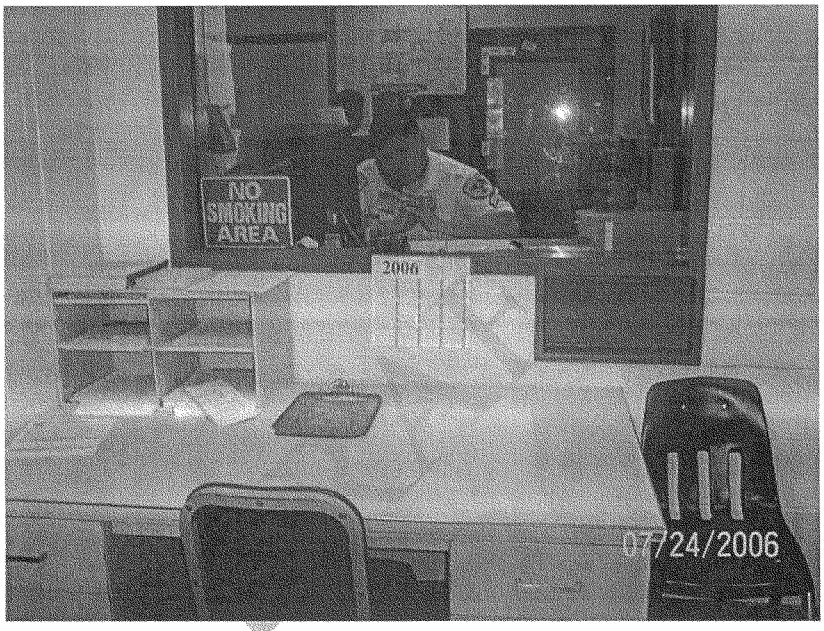
Control Officer at work at his workstation. Monitors for the security cameras are not in his view for they are on a shelf four feet above his head



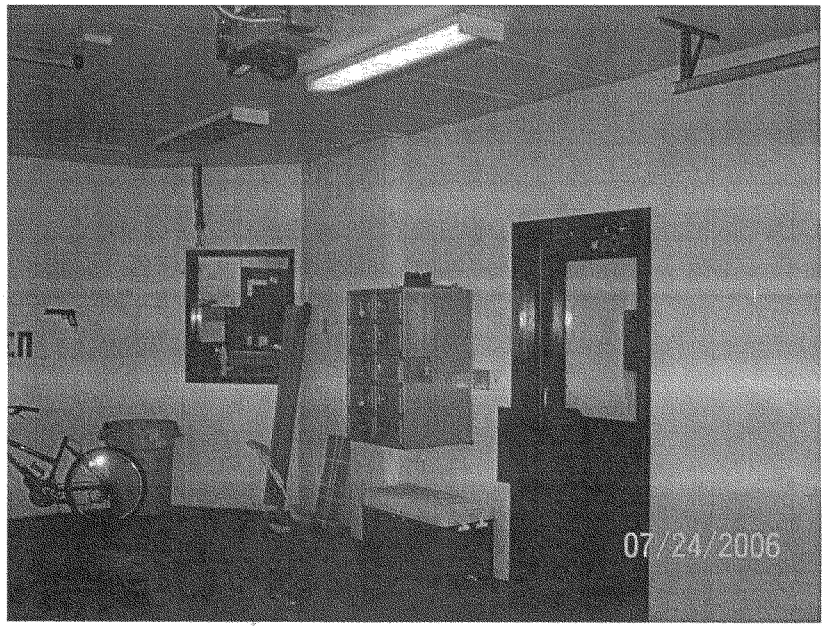
Monitors for security cameras are not in view of the officer. Most cameras are not functional as noted by the dark segments on the monitors.



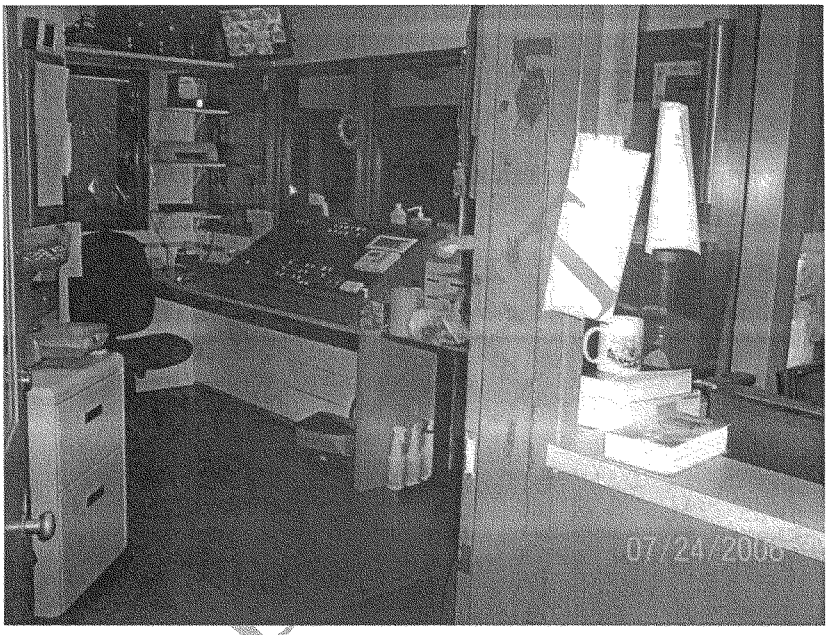
Dysfunctional security monitoring. Blank monitors for the security cameras..



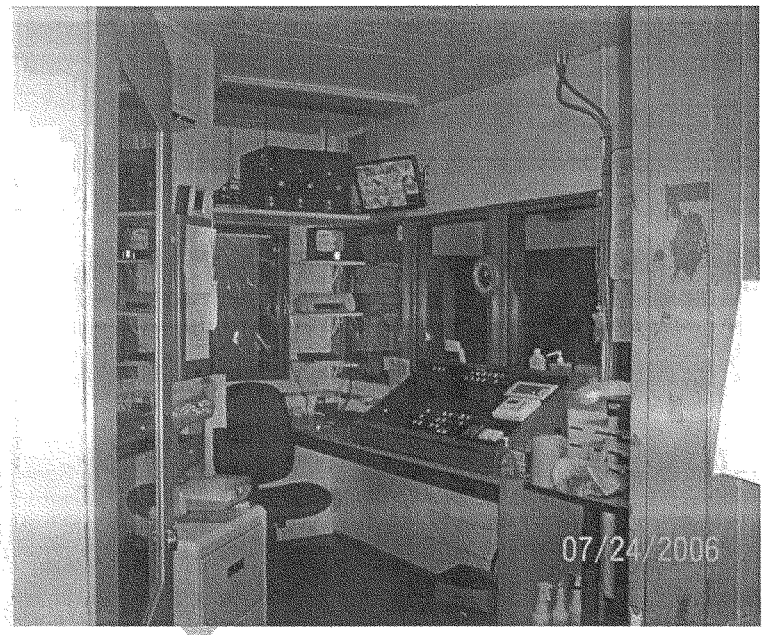
View looking into the Control Station from the booking desk located outside. The control officer is working at his workstation and is expected to interact with incoming traffic to this station, from the sally port to the left



View from the sally port looking into the control station through the window

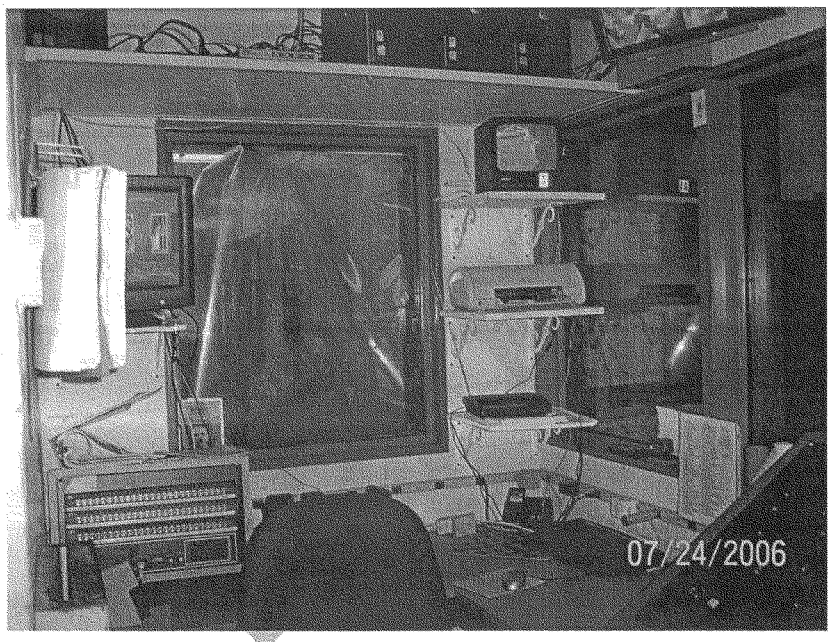


View of the control station – Note the security camera monitors towards the top

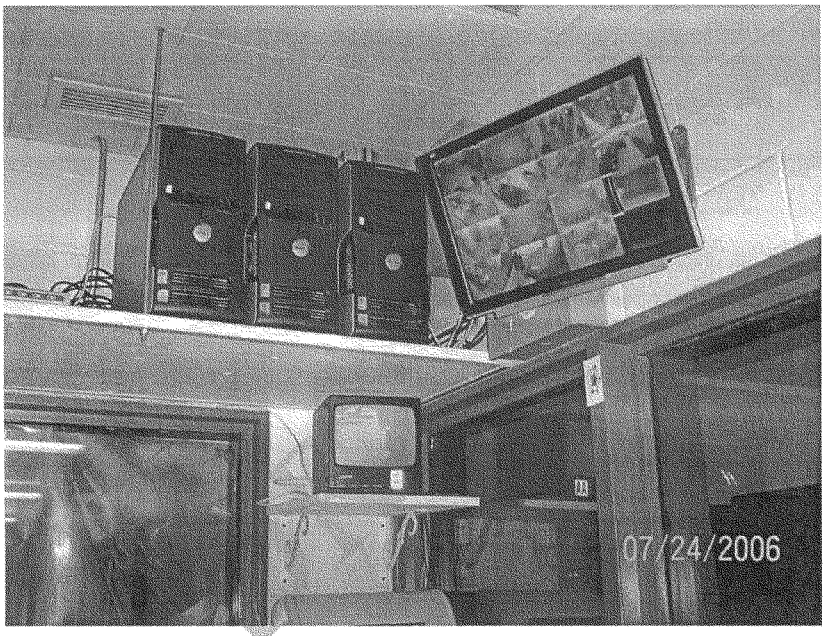


View of the security camera monitor up on a shelf and behind the control officer

Switch Controls for cell doors.



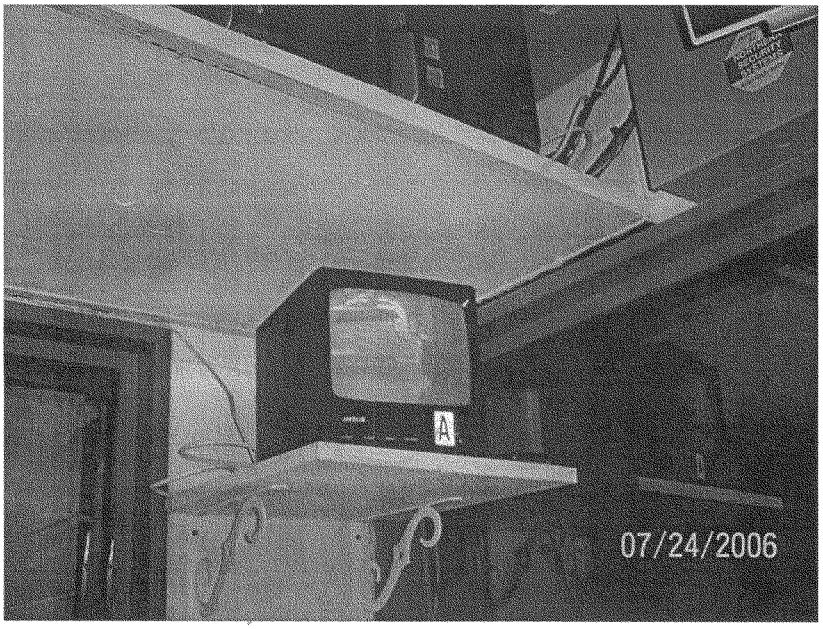
View into the corridor using a torn one-way screen



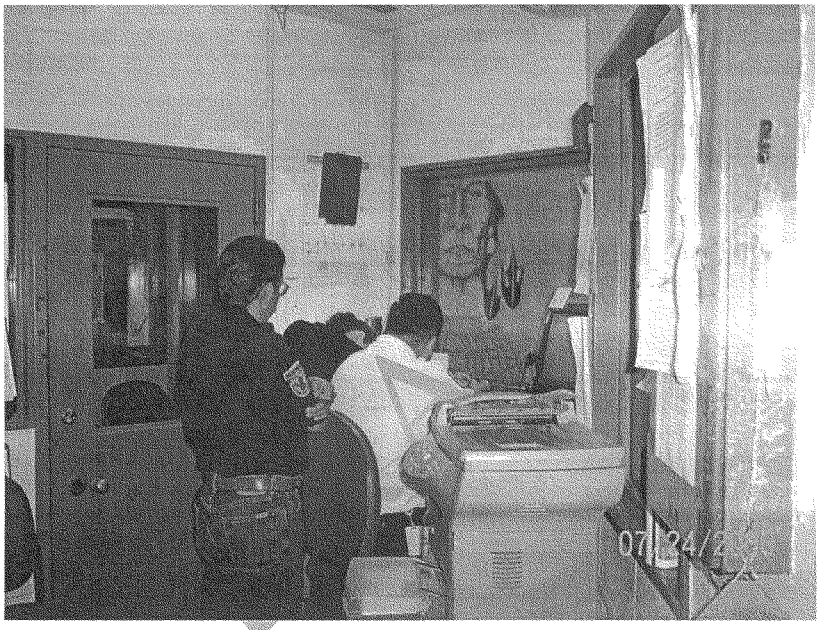
Security camera monitors out of view from anyone working at the Control Station

Malfunctioning security cameras at the control station

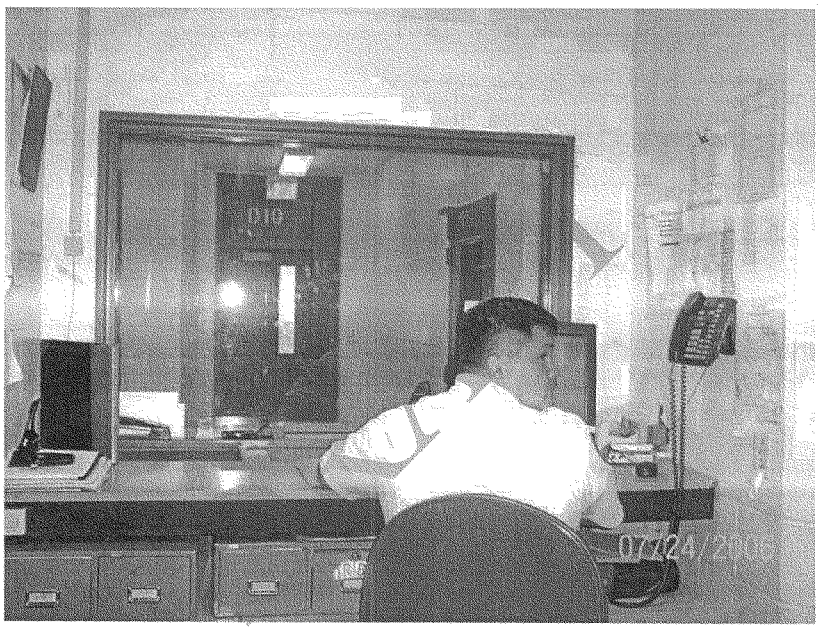
Malfunctioning security cameras at the control station



Older security camera monitor

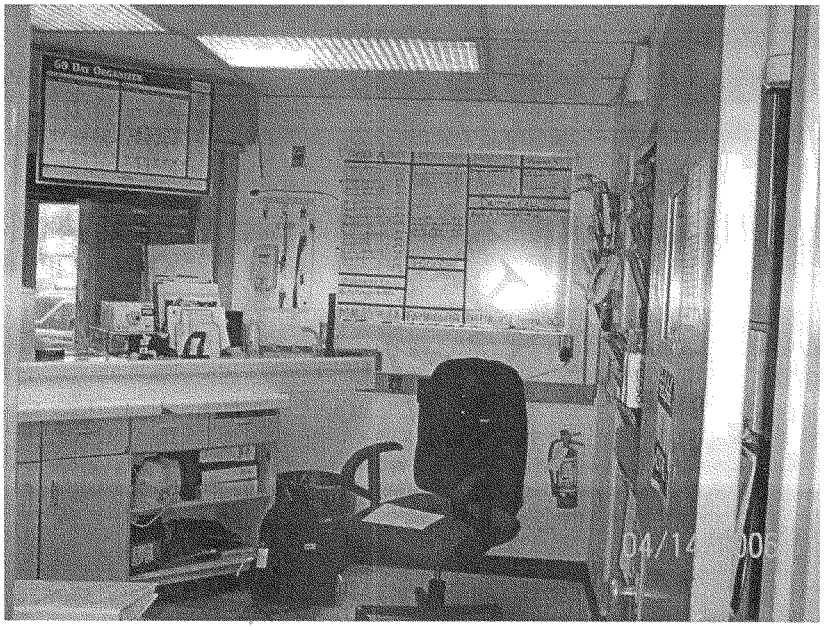


Control Officer busy at his workstation concentrating away from the security camera monitor



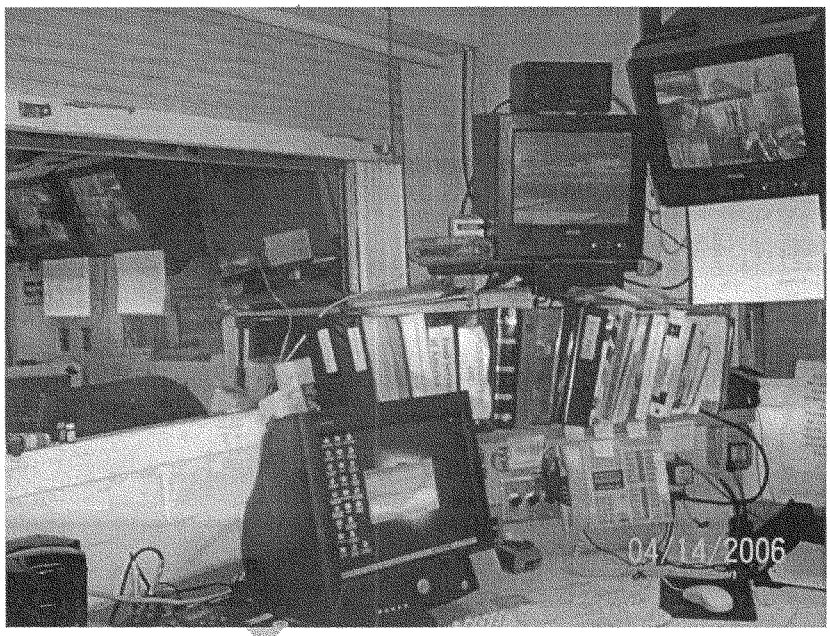
Control Officer glances at the monitor behind and to his right

Control Officer busy at his workstation after a glance at the monitor

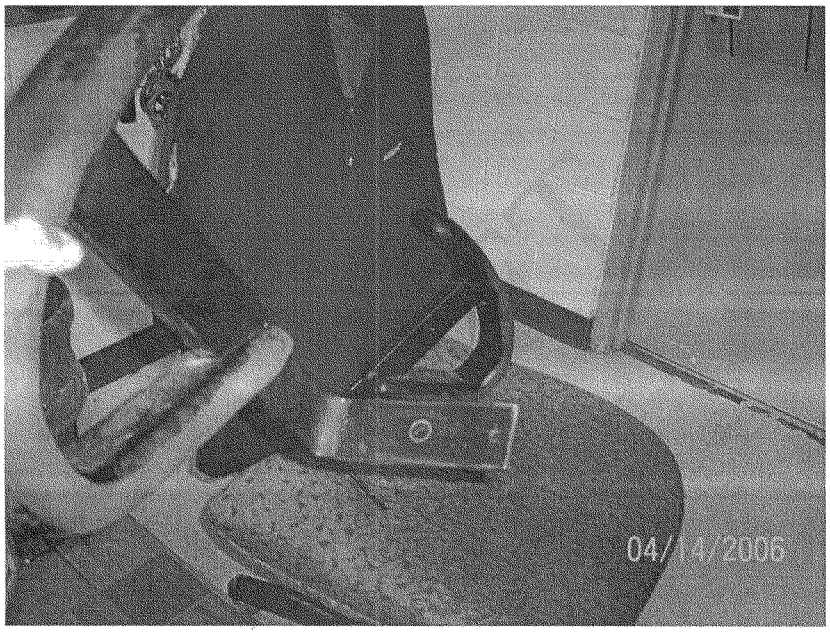


Control Station with the broken chair for the officer

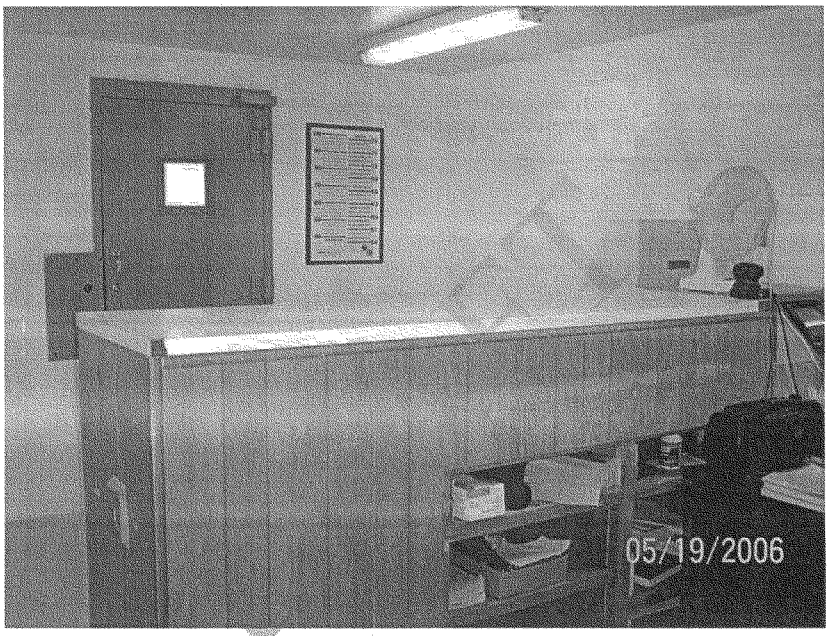
Central Control Station Challenges



Reception Window, workstation monitor and security camera monitors in disarray. Control Officer also serves as a receptionist for the general public

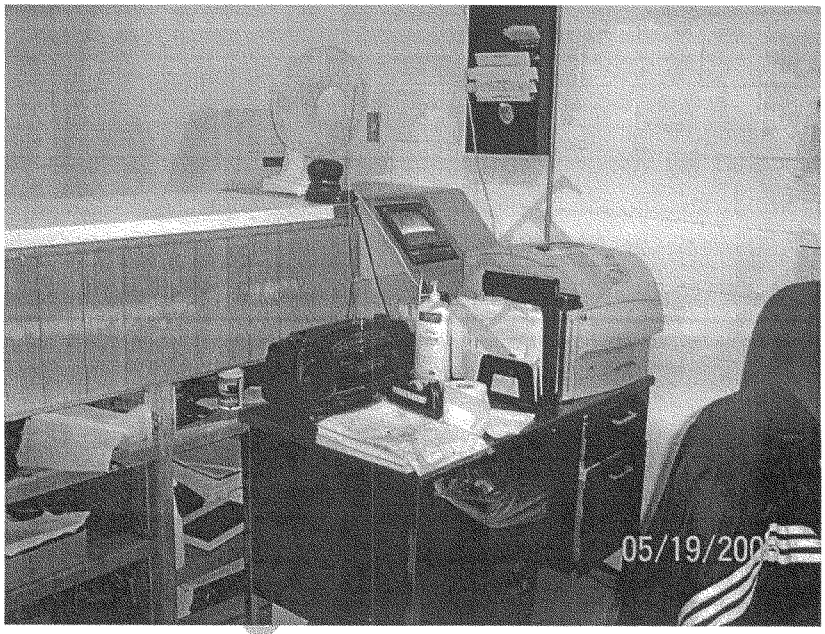


Control Officers broken chair that is now a potential weapon

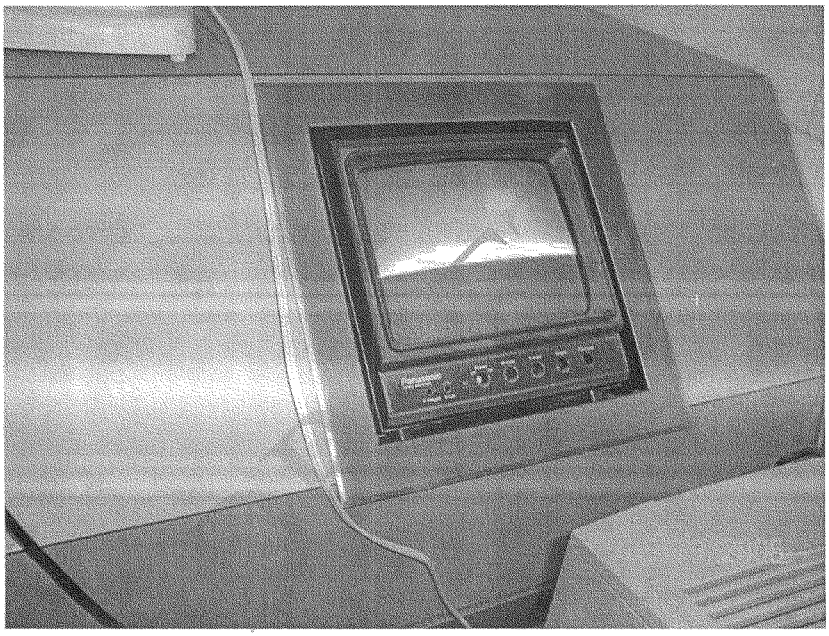


Combination Booking and Central Control Station – Note the security cameras monitor at the far right.

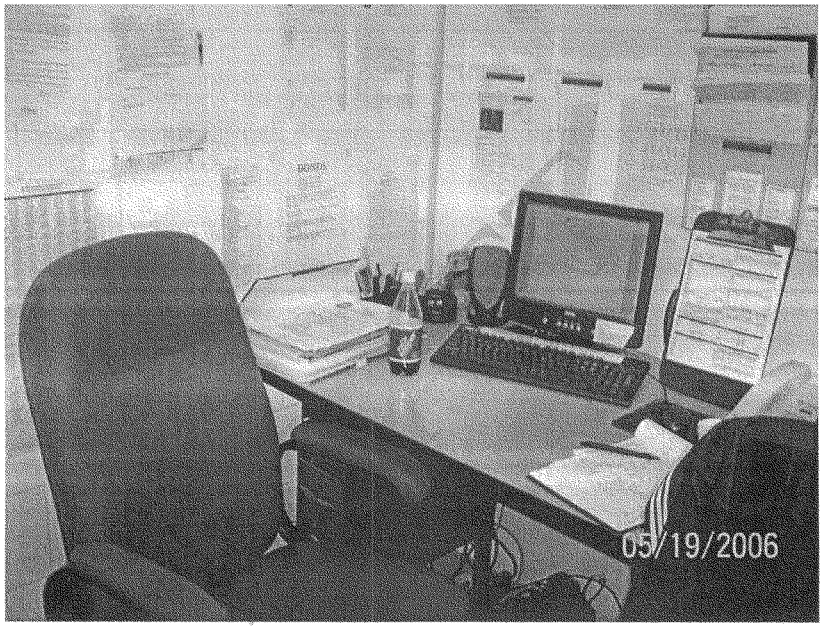
Central Control Station Challenges



Congested booking and central control station

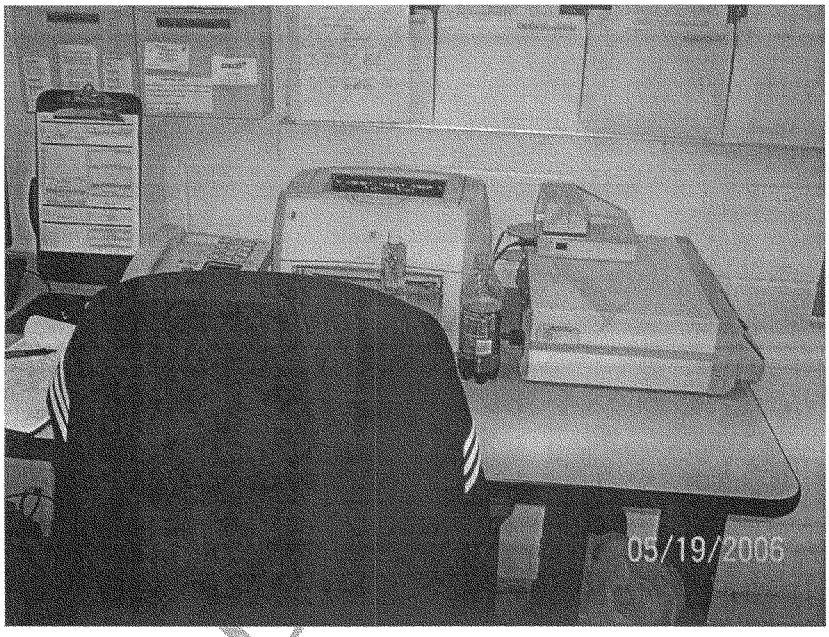


Illusion of security as the only monitor for security cameras is malfunctioning

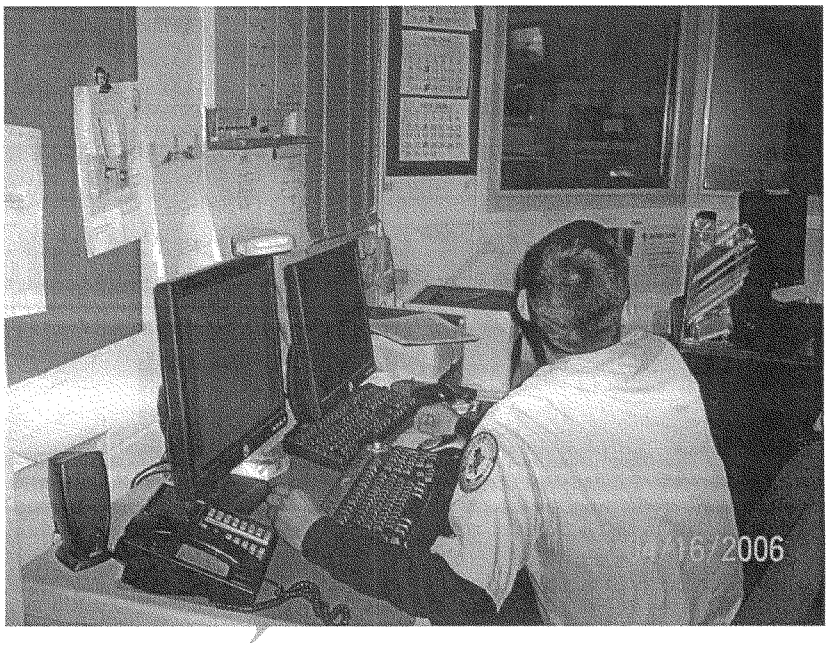


Control Station Officer's workstation is directly behind the malfunctioning security camera monitor

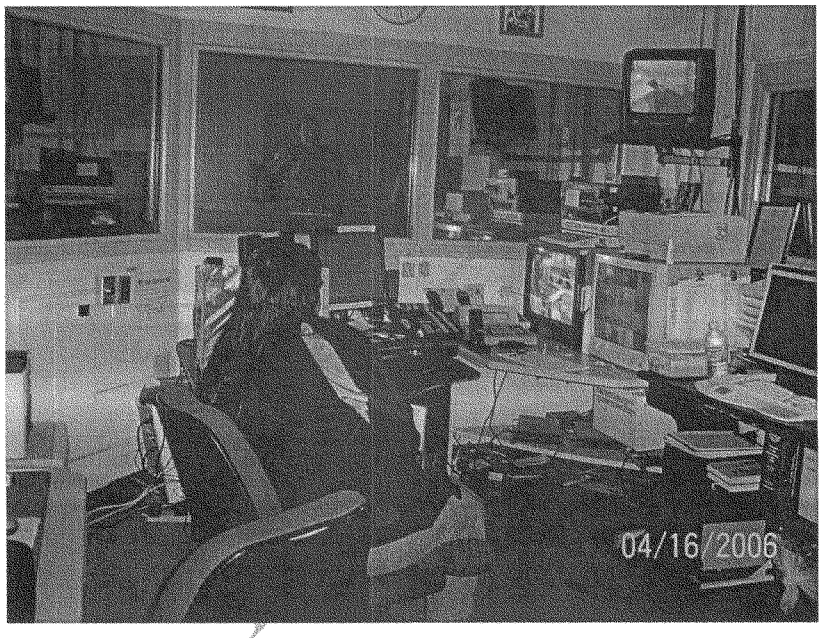
Central Control Station Challenges



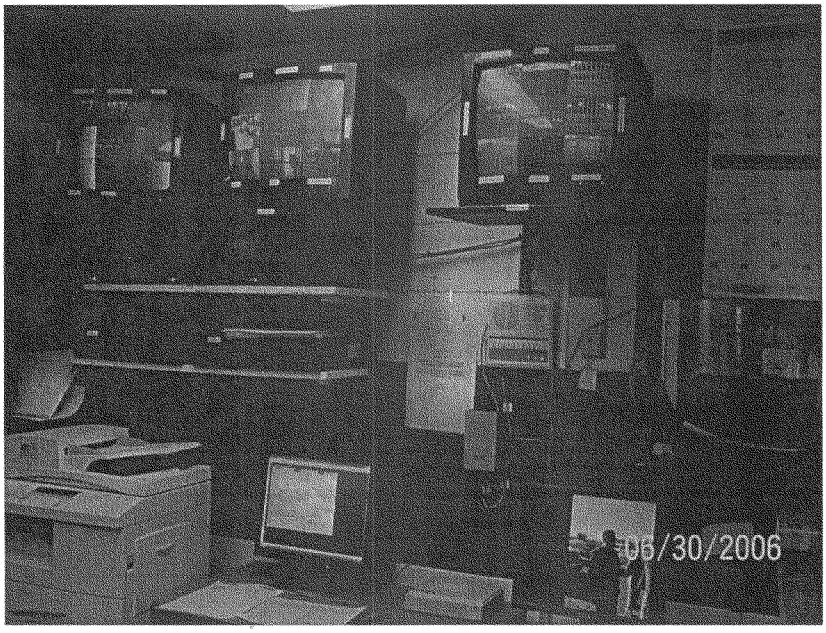
Remaining work area of the Control Officer now behind and far to the right of the security camera monitor



Central Control Station Detention officer sharing his workstation with Dispatch. He checks his security camera monitor located way behind and to the right by the Dispatch station

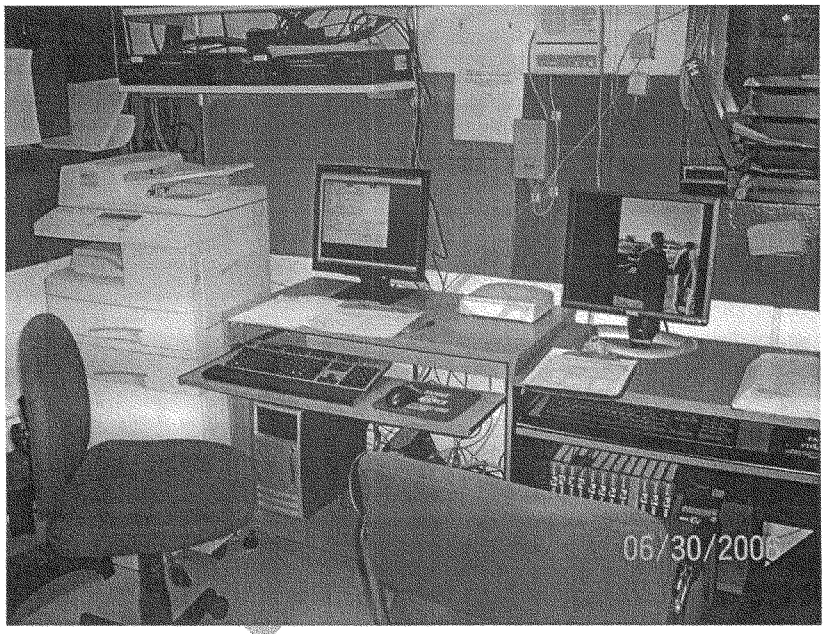


Dispatch at her workstation with the security camera monitors that are being monitored by the detention officer noted in the picture above

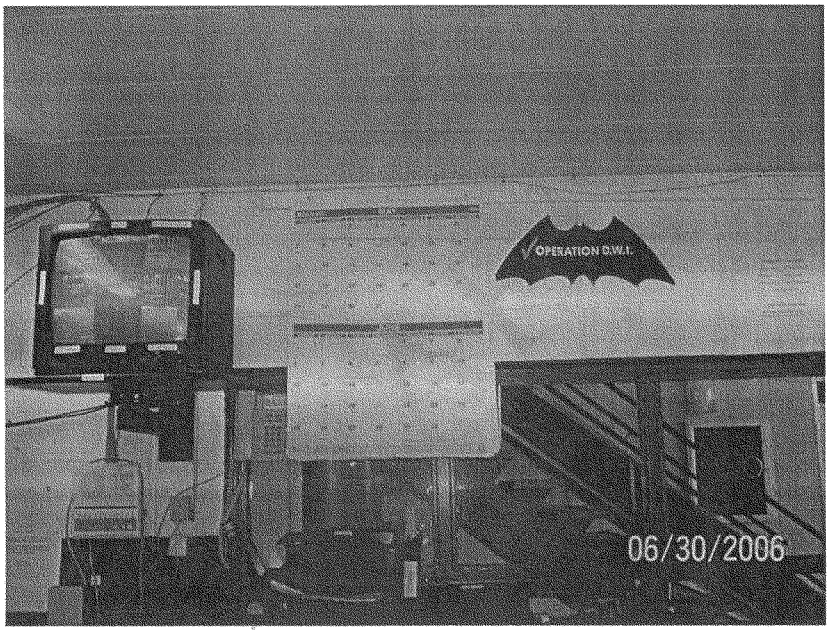


Malfunctioning security camera monitors located on a top shelf – Ot of view of the Central Control Station Officer's workstation

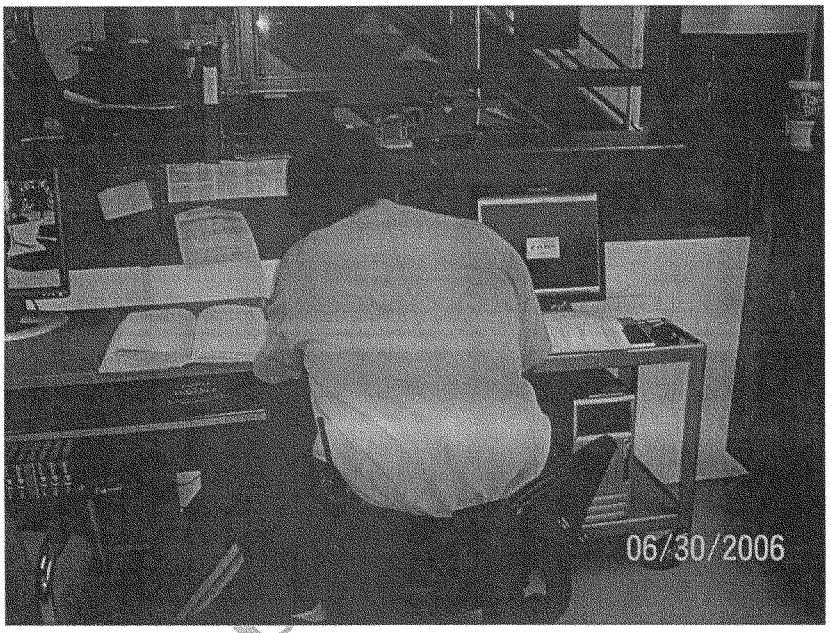
Central Control Station Challenges



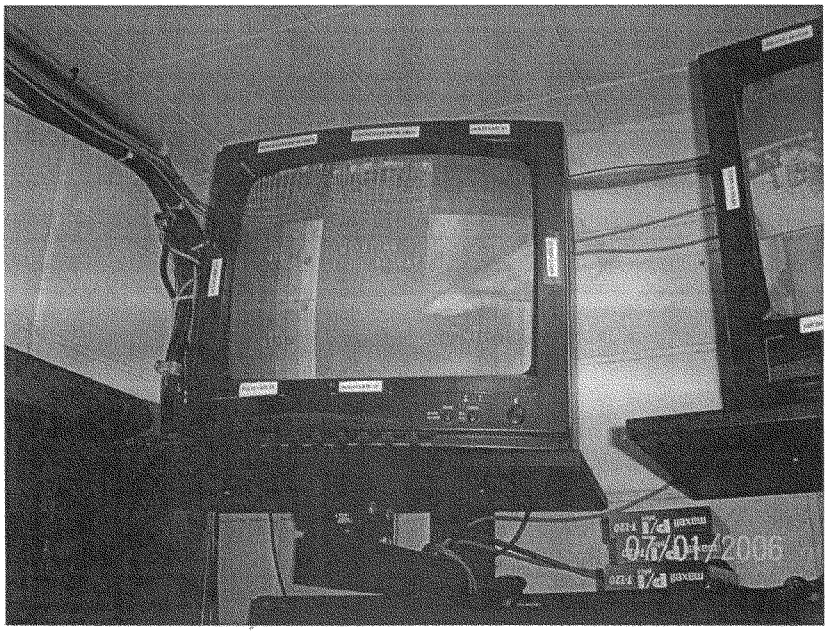
Central Control Station Officer's Workstation – Security camera monitors are well above her line of sight and peripheral vision – She also responds at the reception window and the reception counter that is to her right



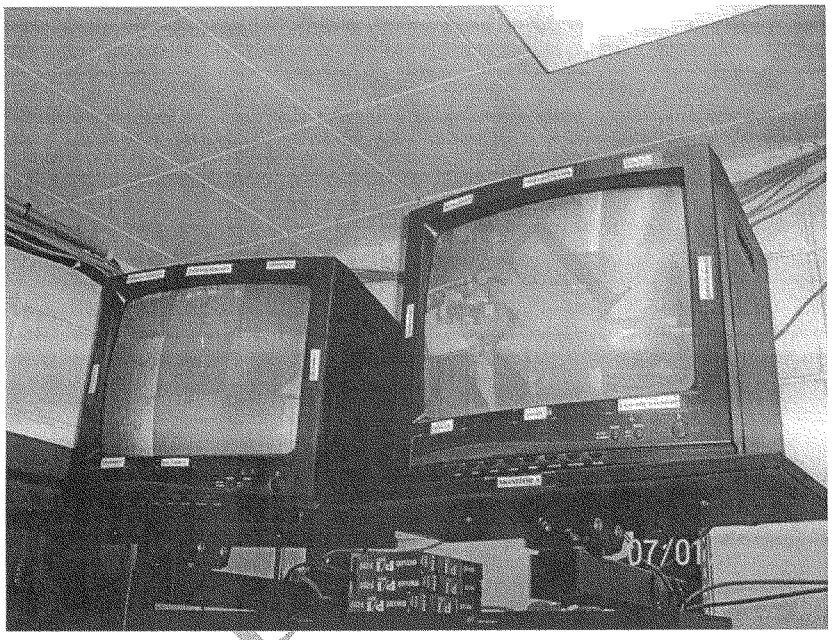
Central Control Station Officer responds as a receptionist through the window access looking into the lobby



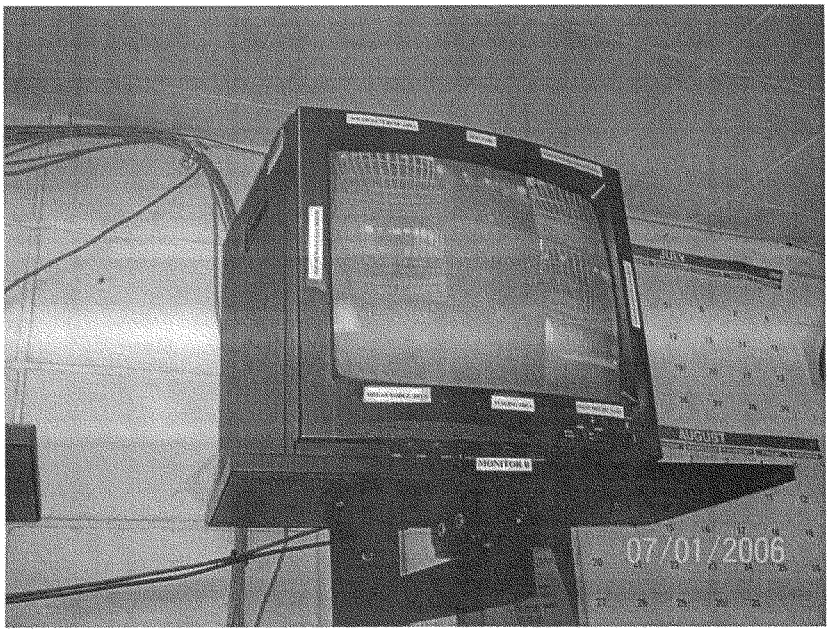
Central Control Station Officer concentrates on her work at her workstation with access to the public through the reception window and the countertop to her right.- The security camera monitor is well above and out of view



Illusion of security with malfunctioning monitors for the security cameras



Illusion of security with malfunctioning monitors for the security cameras



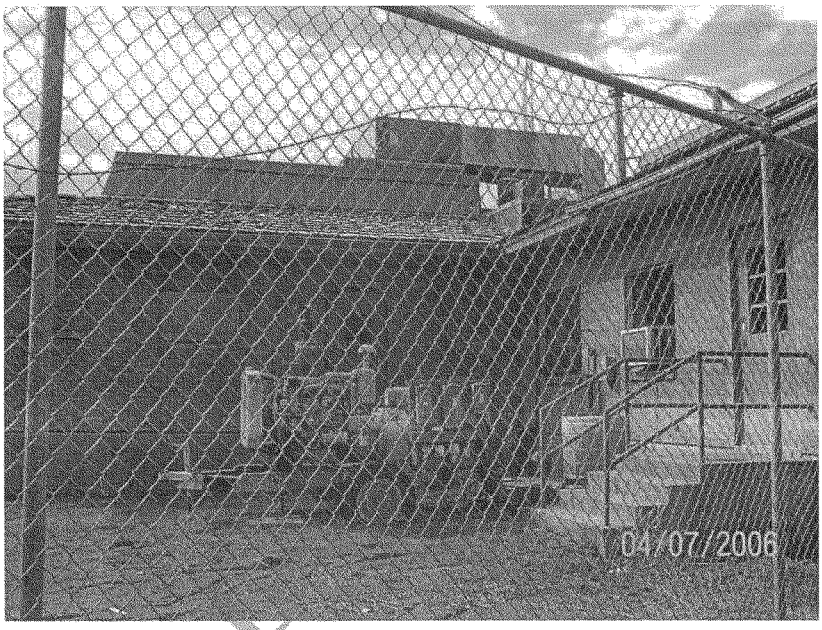
Illusion of security with malfunctioning monitors for the security cameras

4 - Electrical Challenges

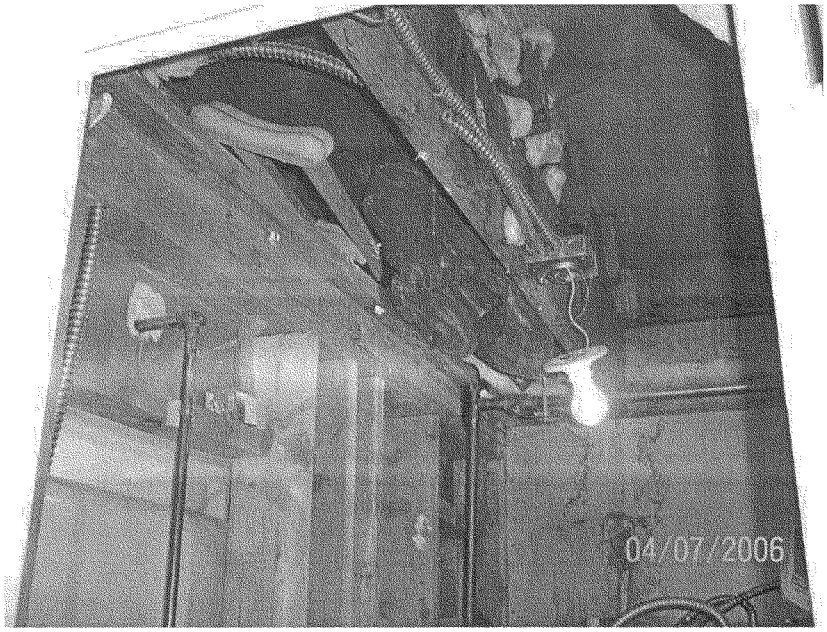
Antiquated electrical systems and back-up emergency systems are a challenge. Over the years, electrical systems have served an increasing load of additional electrical devices. Back-up systems are antiquated or do not exist.

DRAFT

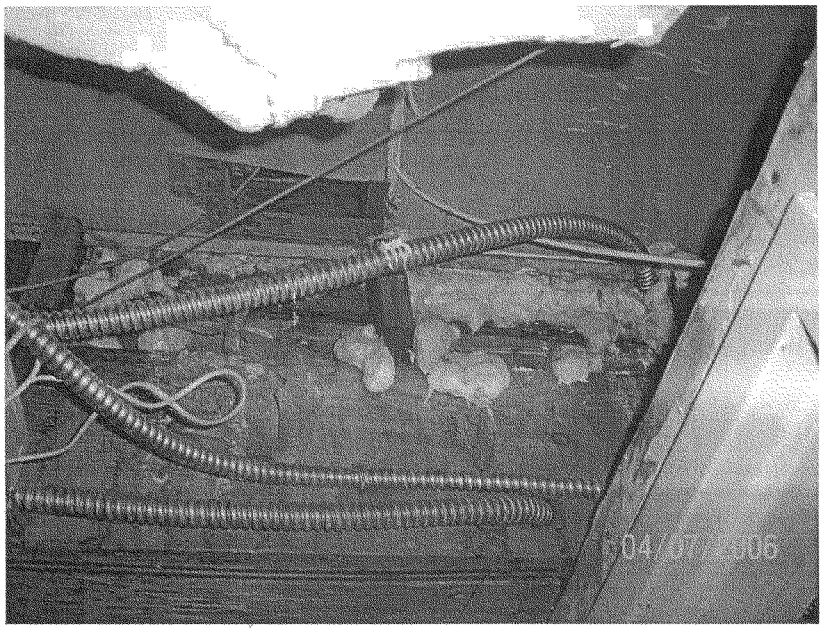
Back-up emergency generator



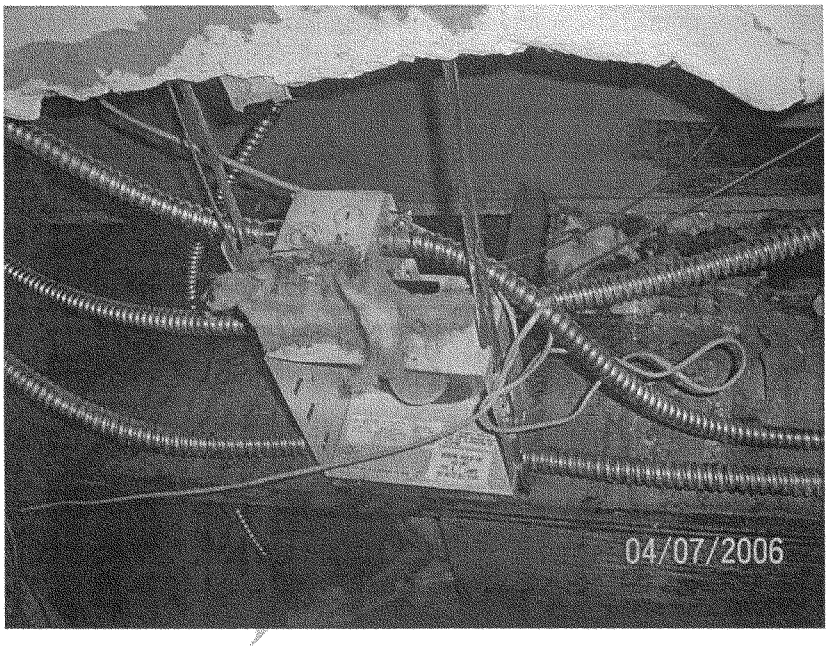
Back-up emergency generator (circa 1940's) serving the present facility



Exposed electrical system in an operational facility

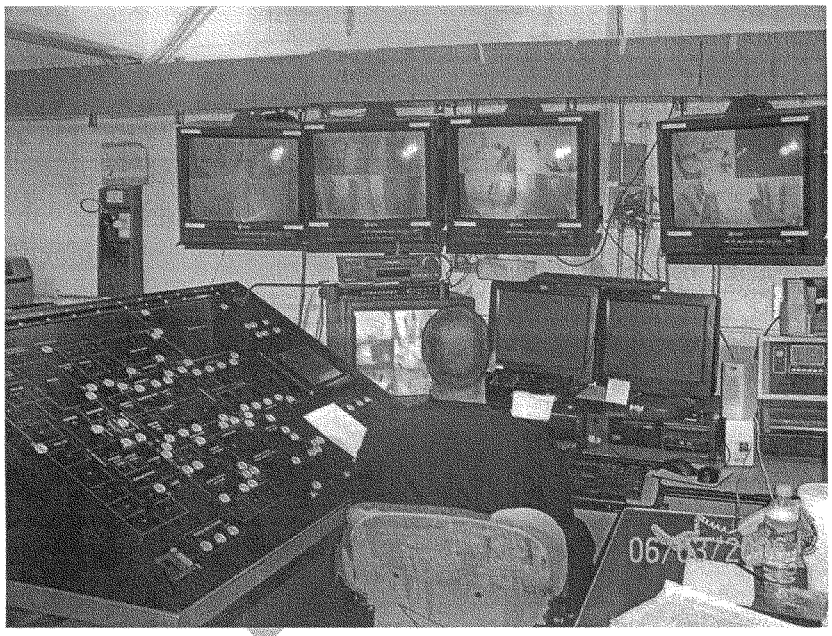


Exposed electrical system and rain damage in an operational facility



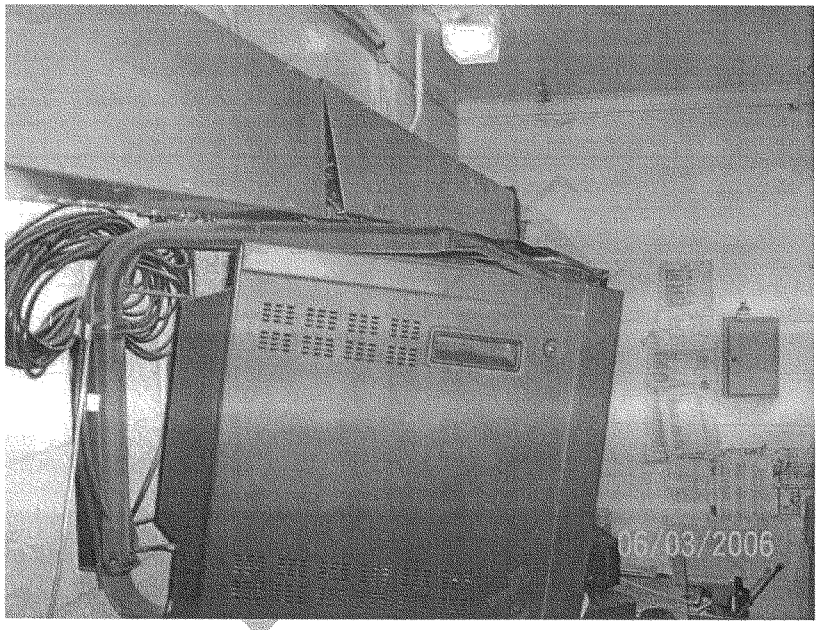
Exposed electrical system and rain damage in an operational facility

Exposed electrical system and rain damage in an operational facility

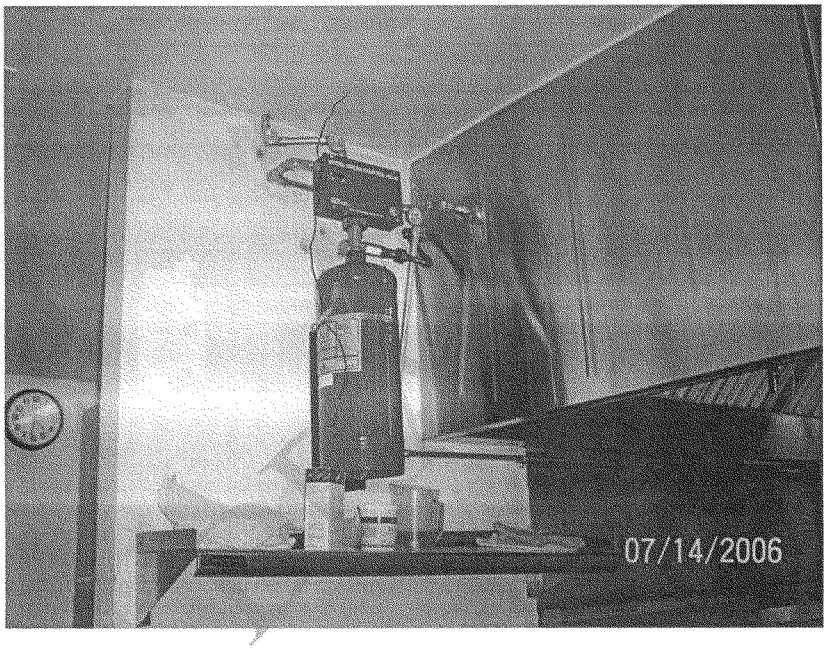


Makeshift Central Control Station with exposed wiring. This Central Control was created within an existing Booking space. Picture indicates the unreliable door control console to the left

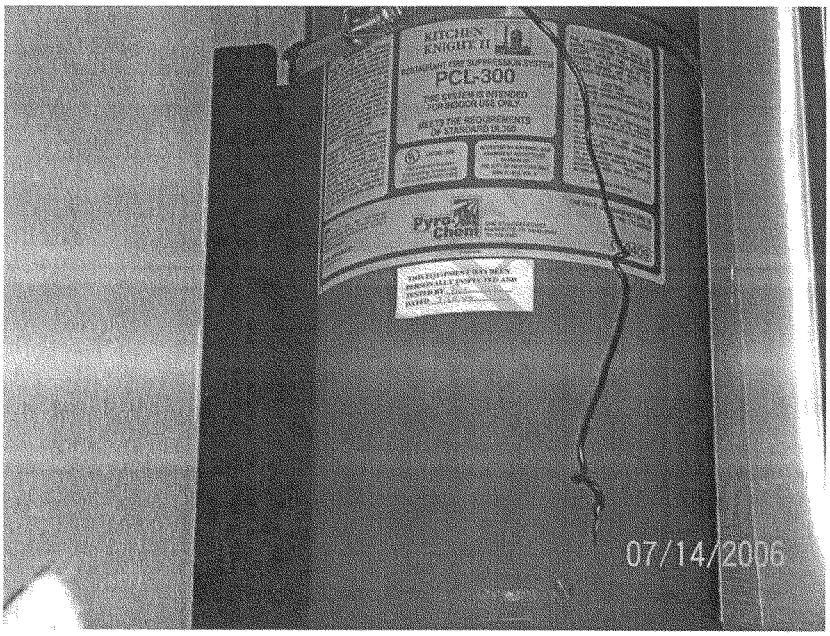
Exposed and overloaded wiring at the Central Control Station



Exposed wiring raceway and an filled to overcapacity raceway for the security camera monitors



Exposed wiring



Exposed wiring

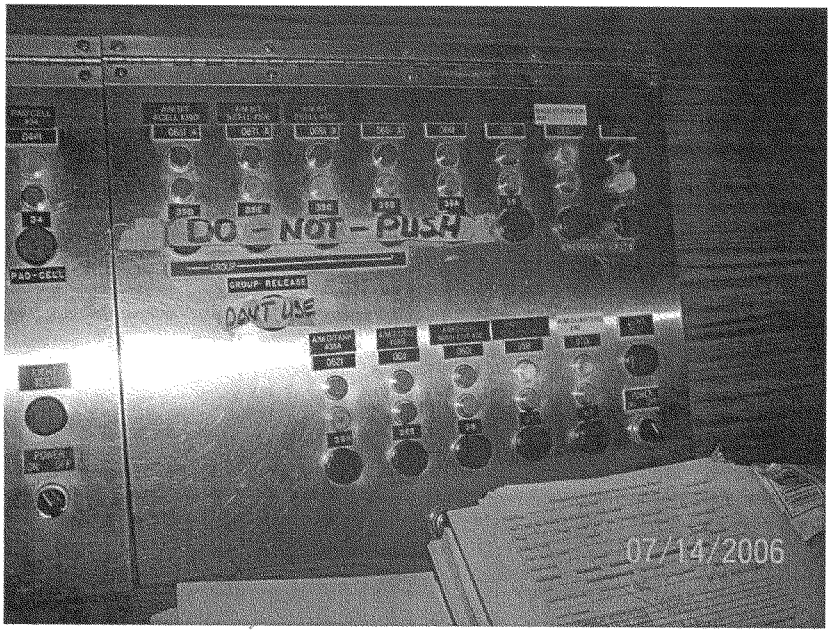
5 - Emergency Egress is a challenge

Facilities lack appropriate egress. An electrical outage during an emergency is detrimental to the safety and security of the inmates and officers. In an emergency, inmates cannot be alerted within one minute and evacuated within three minutes, to a secured location.

DRAFT

Emergency Egress

Blocked Exit

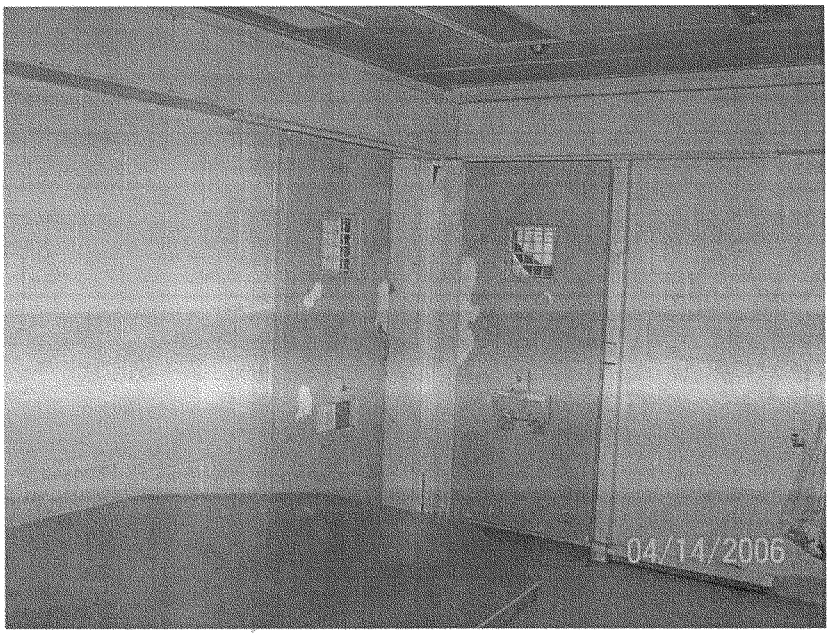


Known inoperative door lock switches

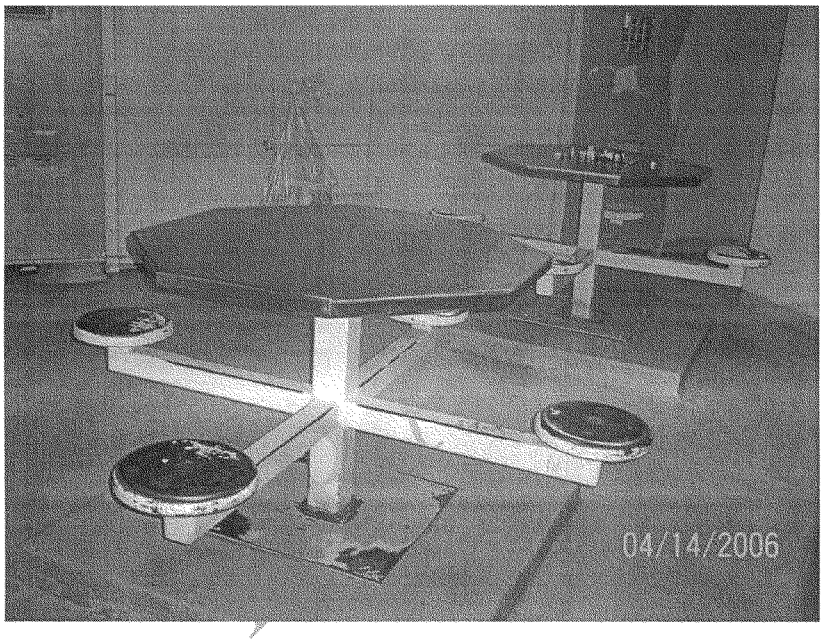
Partially inoperative Door Lock Operators Console

Inoperative manual override for electrical cell-door lock switches

Emergency Egress

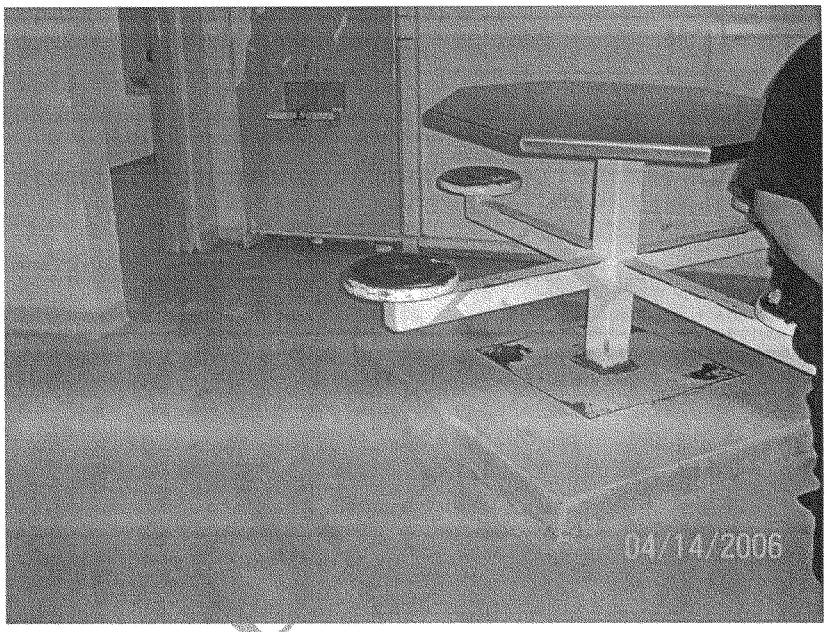


Locked cell doors without mechanical override

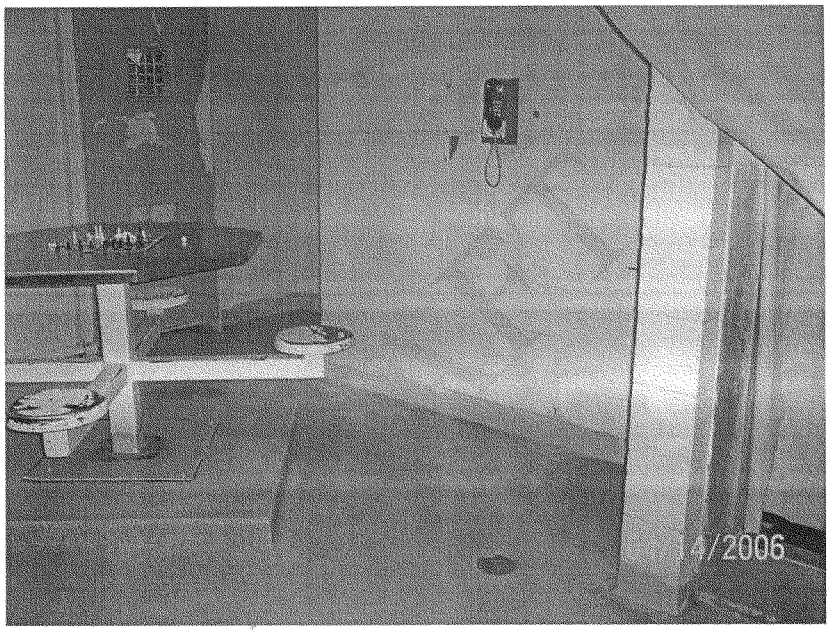


Locked cell doors without mechanical override

Emergency Egress

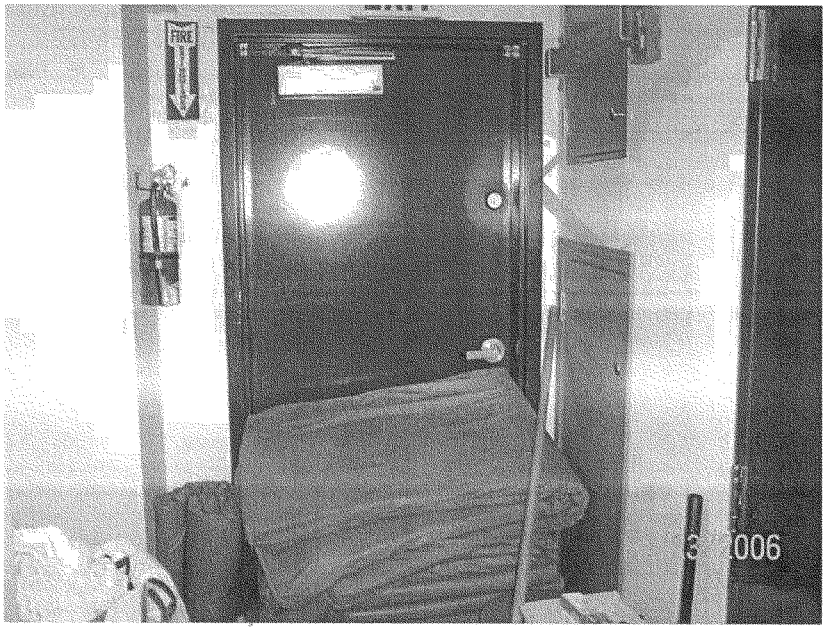


Locked cell doors without mechanical override.



Locked cell doors without mechanical override

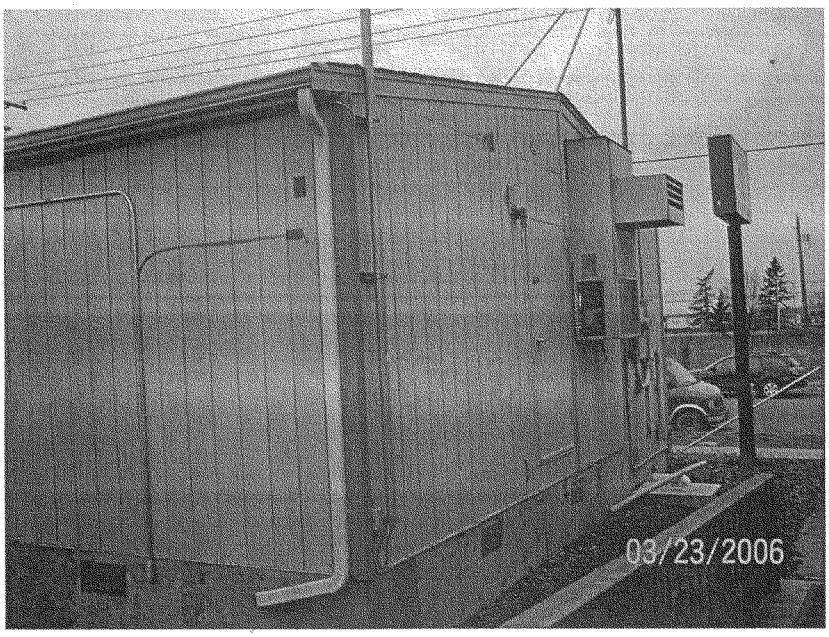
Emergency Egress



Blocked Exit door

743

Emergency Egress

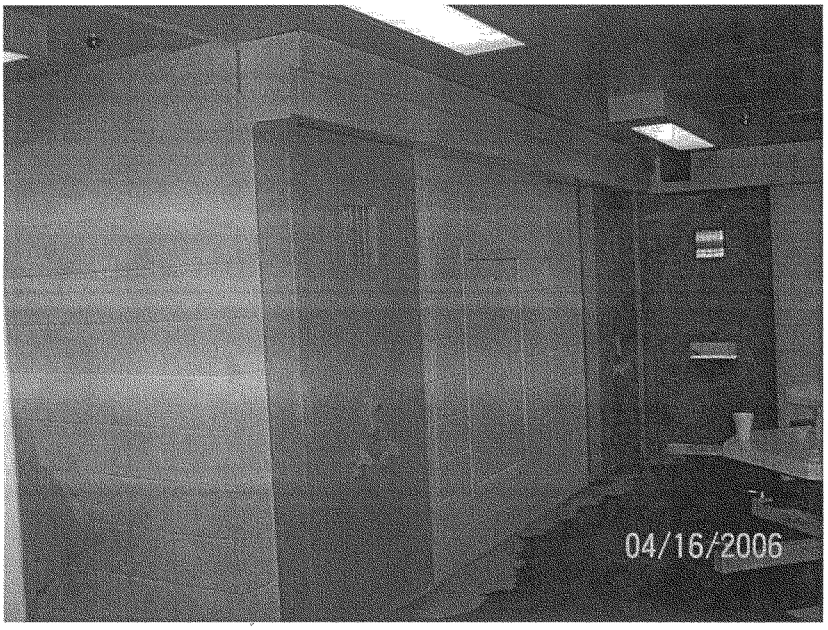


Exit door from above picture, without appropriate steps to egress

Locked cell doors without mechanical override

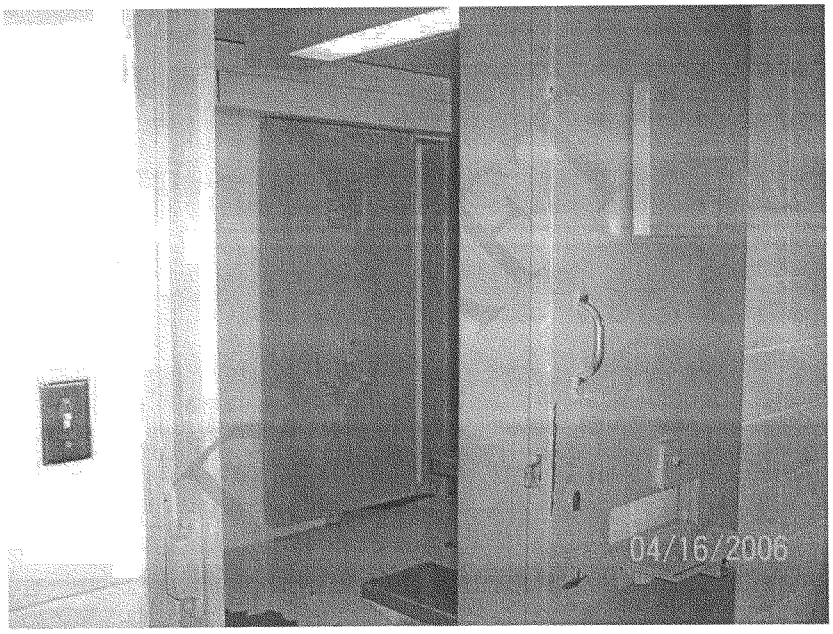
745

Emergency Egress



Locked cell doors without a mechanical override.

Emergency Egress



Locked cell doors without a mechanical override.

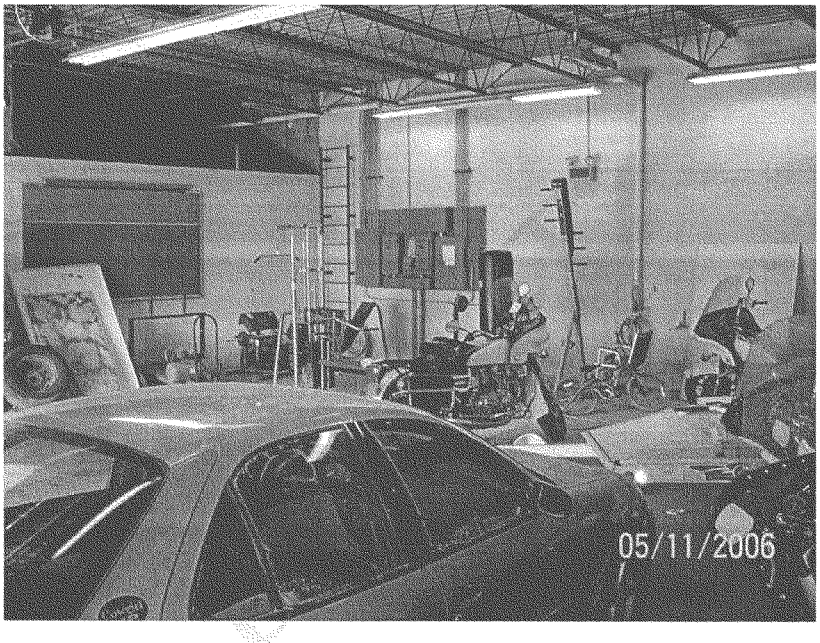
DRAFT

6 - Environmental Challenges

Unaware of environmental effects, facilities face continuing environmental challenges

Growing mold

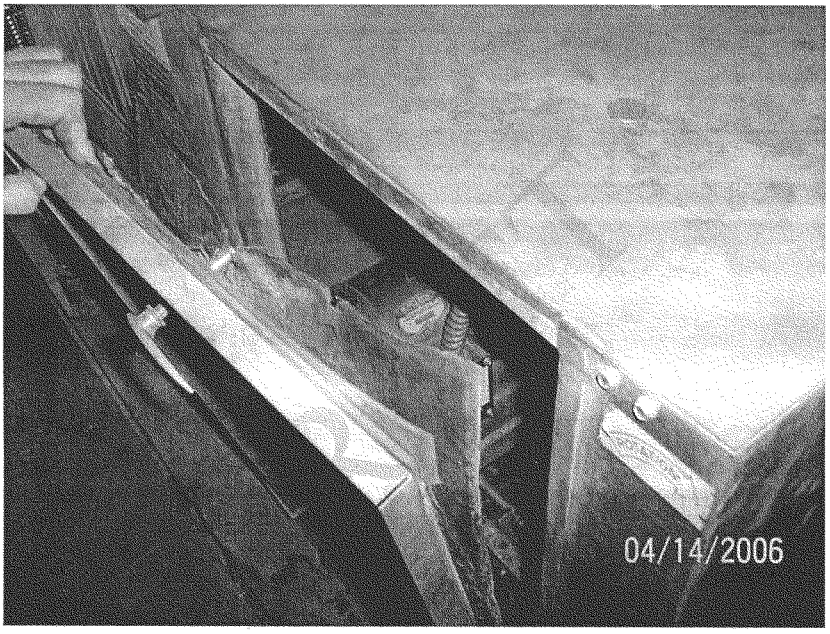
Oil dumped after continued oil changes



Operations as a car repair garage

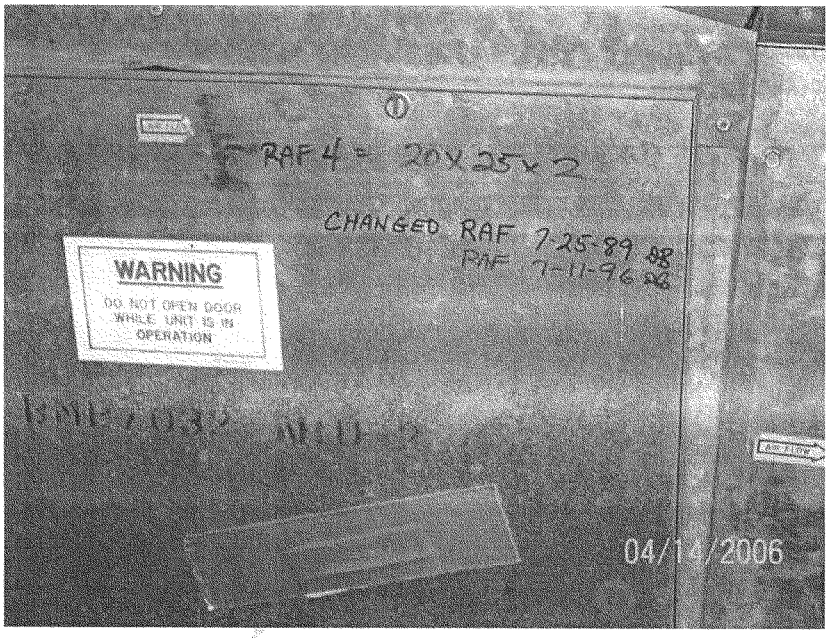
Oil spills into the storm drain

Car Wash operations spilling waste into the storm drain

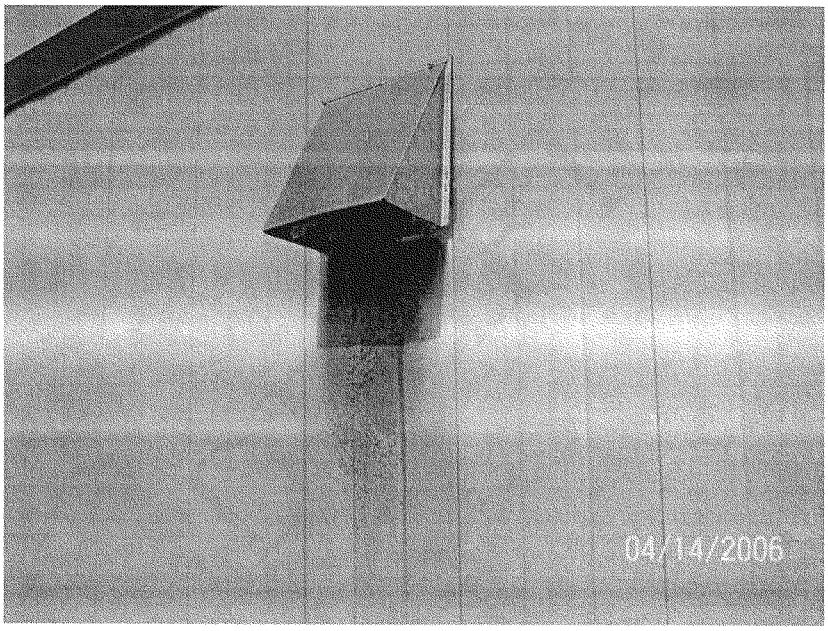


Unchanged Return-Air-Filter

Mechanical Room Air ducts



Return Air Filter changed twice in seventeen years. Last change of Return Air Filter recorded ten years ago,



Exhaust from Mechanical Room

Flammable Storage

DRAFT

7 -Flammables Storage

All facilities face a severe shortage of storage space. This includes a lack of storage space for flammable chemicals

Flammable Storage

Propane tank viewed from within the garage with flammable storage – which is used as a laundry

759

Flammable Storage

Flammable Chemicals sharing space with the laundry, washer and dryer

Front Entrance and Reception

DRAFT

8 -Front Entrance – Reception

Being public facilities, the detention and corrections facilities are accessible to the public, but without an appropriate and secure 'visitors entrance'. The Central Control station officer serves as a receptionist. For a lack of separation and appropriate barrier, this officer is in jeopardy of being attacked and/or killed by an irate visitor who has direct and unfettered access up to the officer.

Front Entrance and Reception

A straight shot from the parking lot as pictured here, can jeopardize the officer through the window opening – that is meant for the visitors to communicate with the reception

762

Front Entrance and Reception

A close-up of the window opening that is accessible through the open door at the front entrance. Two pieces of thin steel are used to reduce the size of the opening. A piece of cardboard is then used to block the center opening.

Front Entrance and Reception

Visitors counter. See picture below for the other side of this public counter.

Front Entrance and Reception

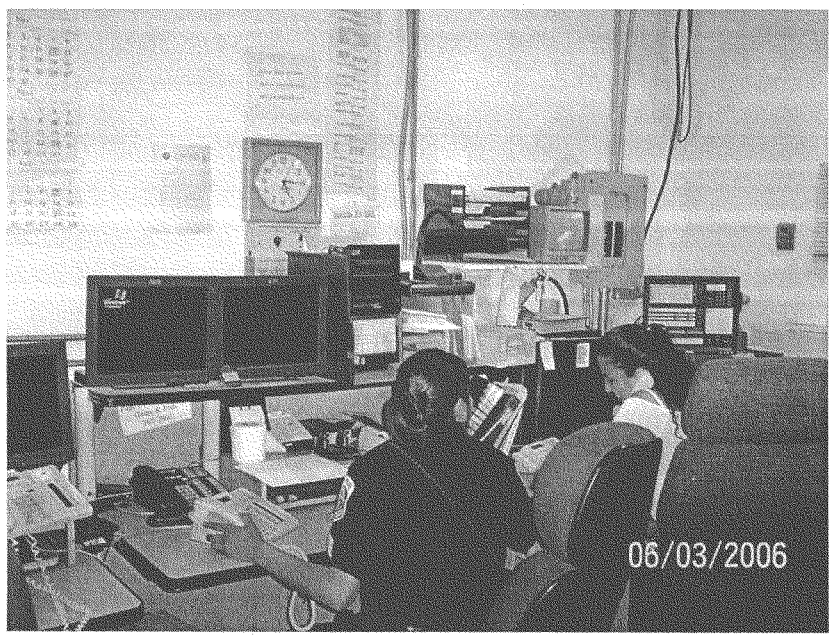
Central Control Station in operation

765

Front Entrance and Reception

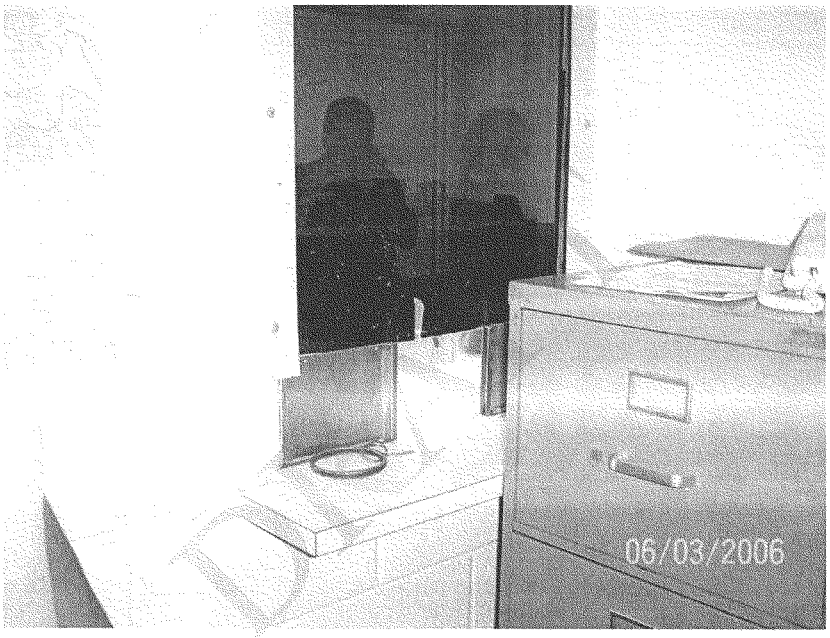
Multiple monitors that need attention, at the Central Control Station

Front Entrance and Reception



Officers at the Central Control Station

Front Entrance and Reception



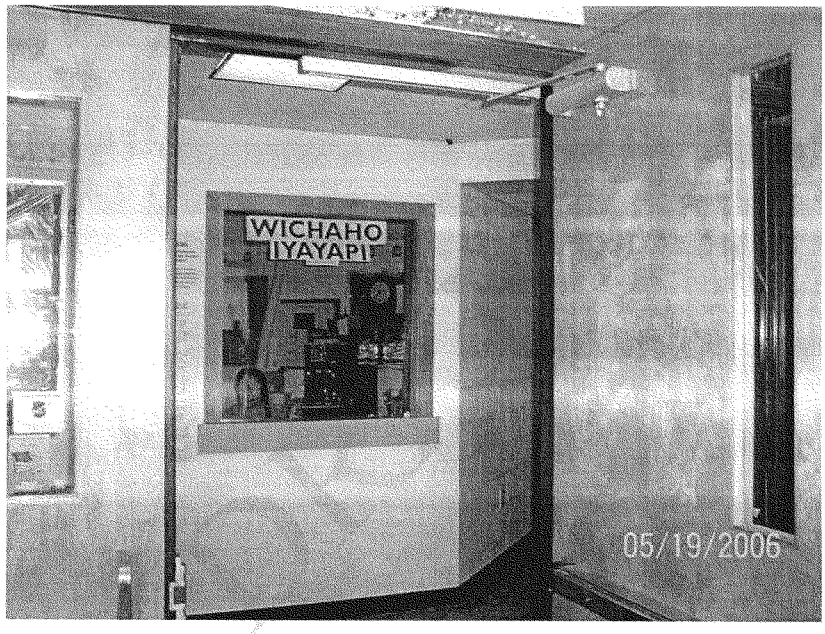
Key Ring with the single master key for the facility left at the public counter accessible to the public – same room as in the previous picture

768

Front Entrance and Reception

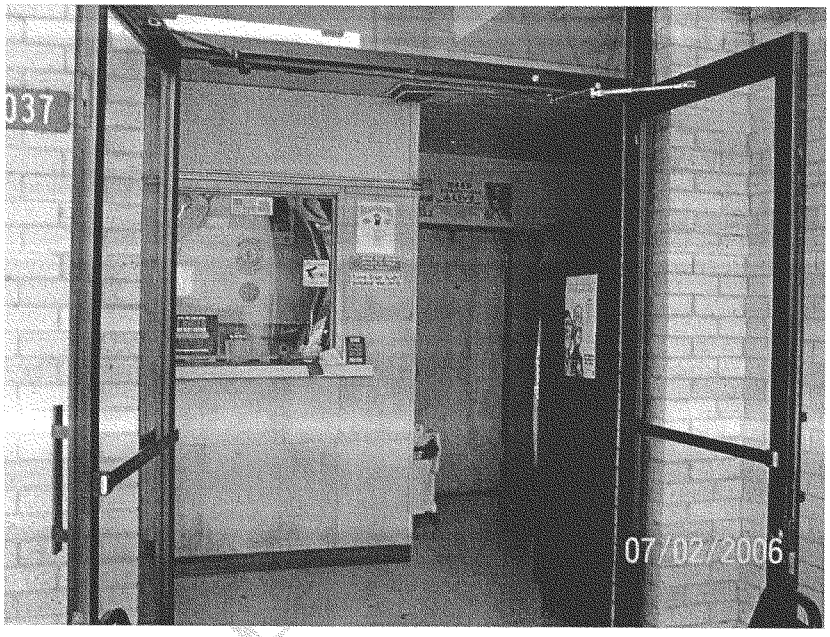
When alerted, a cardboard barrier was used to close the opening in the window – But the master key is still left in place.

Front Entrance and Reception



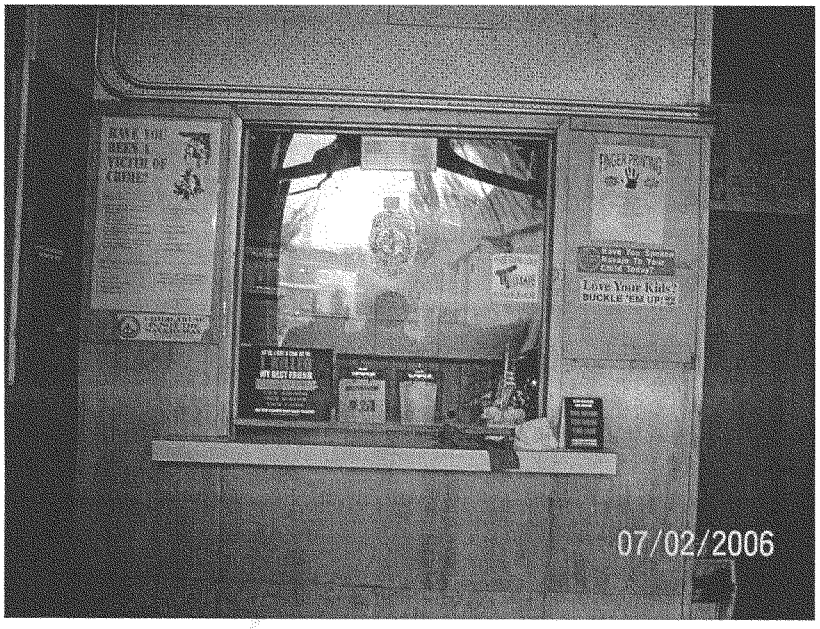
Central Control Station officer is accessible through the public window, jeopardizing her life and safety

Front Entrance and Reception



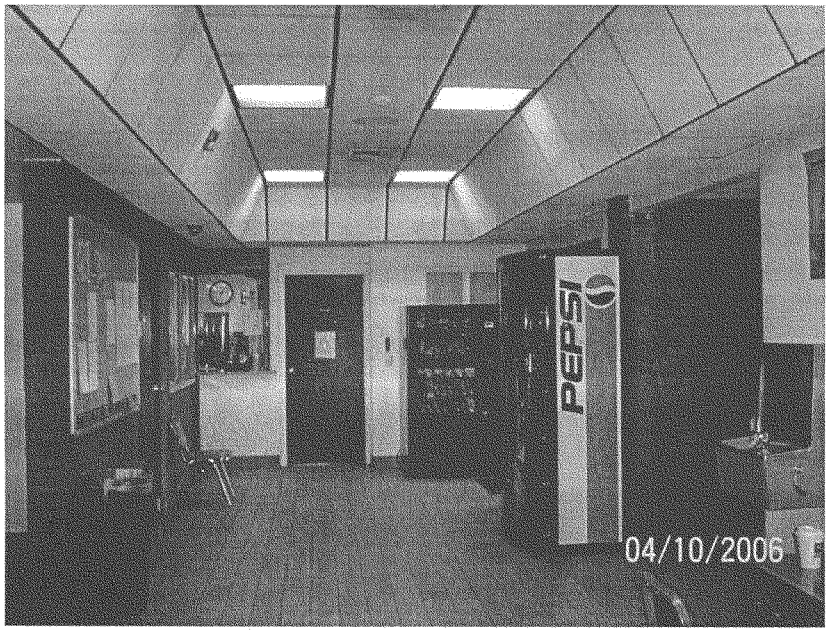
Central Control Station officer is accessible through the public window, jeopardizing her life and safety

Front Entrance and Reception



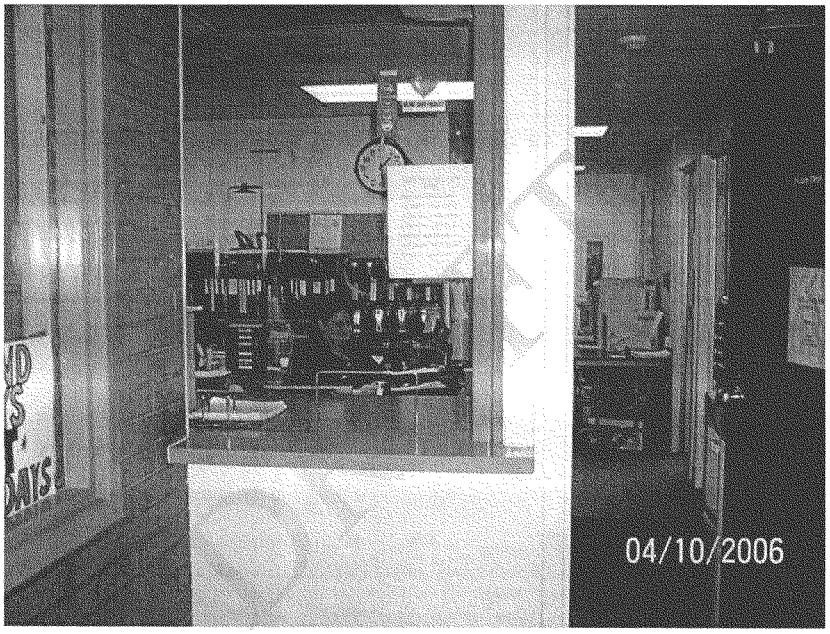
Close-up of the public access window depicted on the picture on the previous page

Front Entrance and Reception



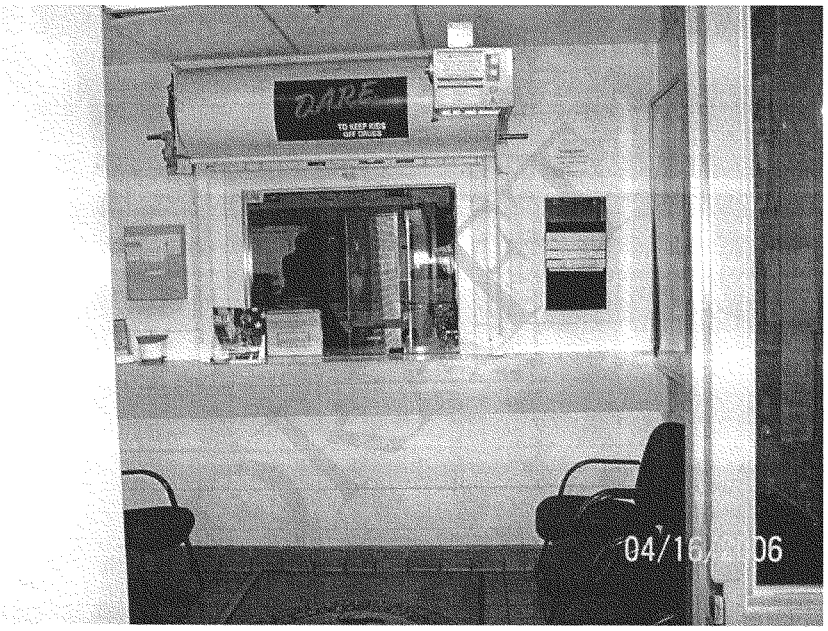
Public Access to the Central Control Station officer through the window – at far left

Front Entrance and Reception



Central Control Station Officer is in jeopardy for her life and safety, through the opening in the public access window

Front Entrance and Reception



Central Control Station Officer is in jeopardy for her life and safety, through the opening in the public access window

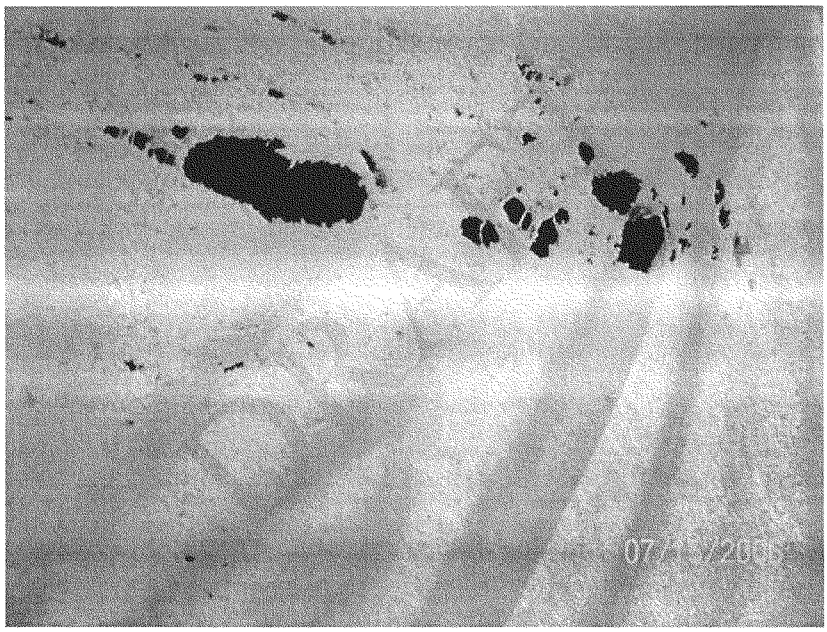
Worn out blankets

DRAFT

9 - Worn out Blankets

A random check indicated an excessively high percentage of worn out blankets and mattress. A large number of facilities depend on business donations, charitable donations and contributions from family if they can afford to provide such contribution

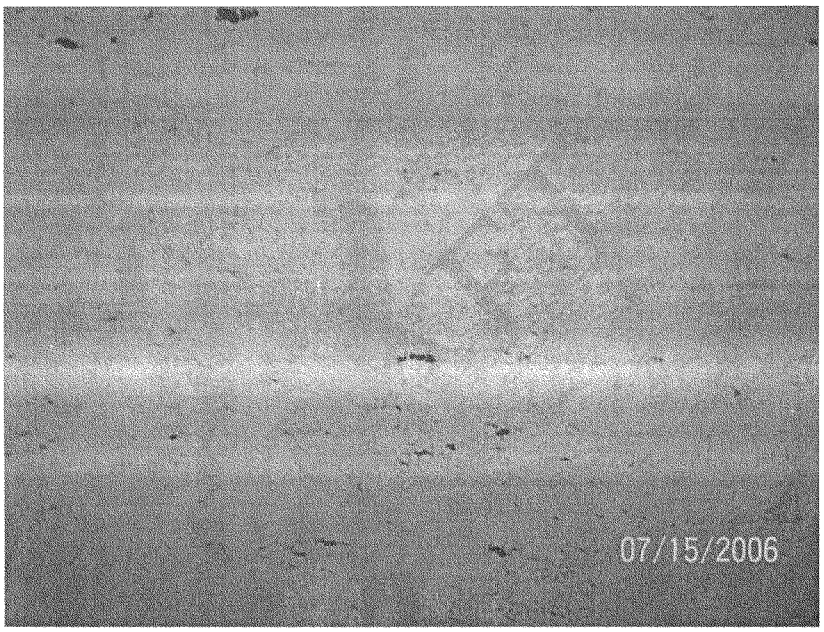
Worn out blankets



Blankets worn out, but in continued use

777

Worn out blankets



Blankets worn out but in continued use

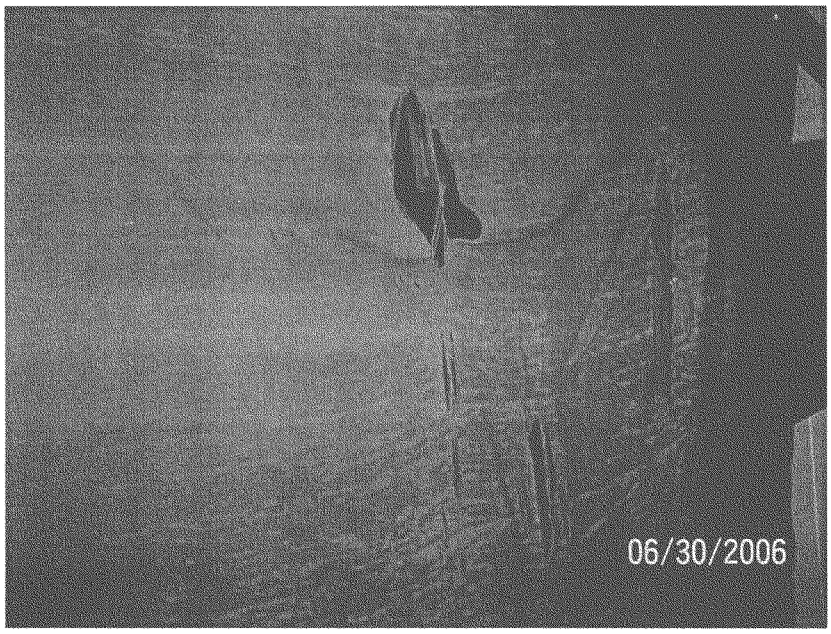
778

Worn out blankets

One random sample pick from this closet with freshly laundered blankets provided the sample below

779

Worn out blankets



Worn out blanket in continued use

Lack of food

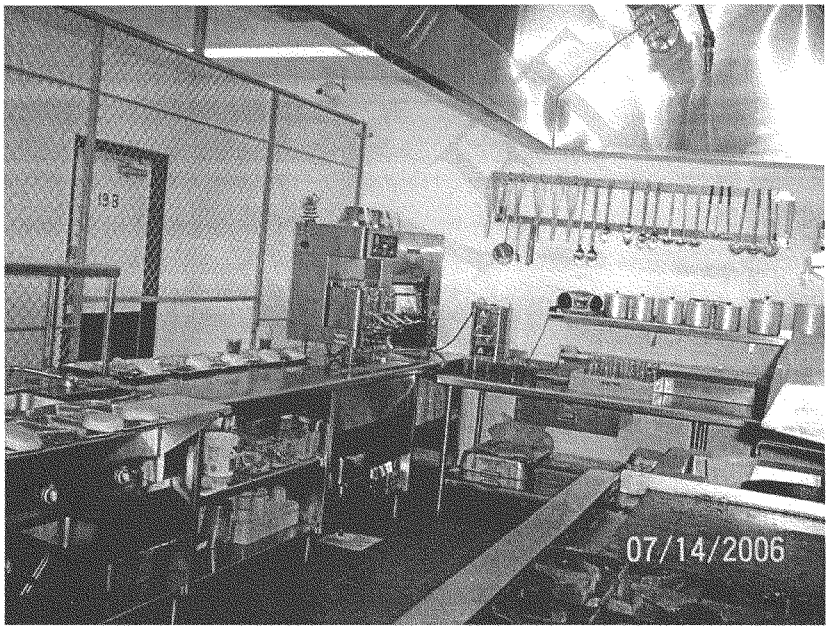
DRAFT

10 - Lack of Food

Facilities lack appropriate quality and quantity of food. Often the food served to the inmates on the day of the announced visit is better than on days with an unannounced visit.

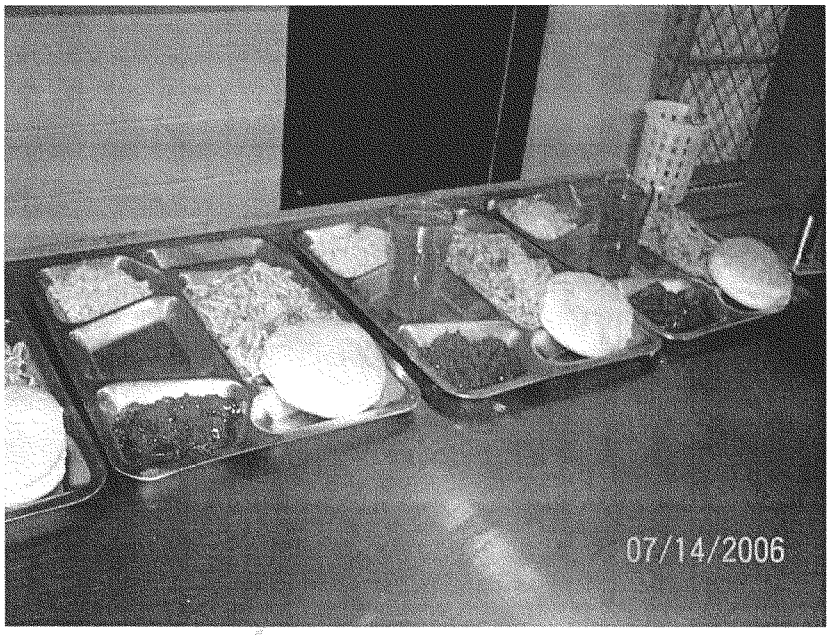
781

Lack of food



Food being served on the day of an announced visit

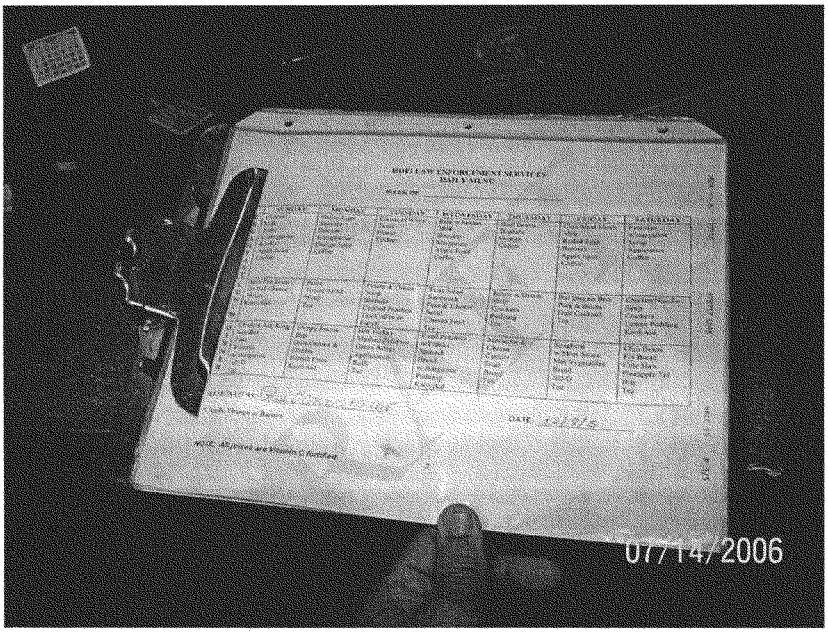
Lack of food



Food being served on the day of an announced visit

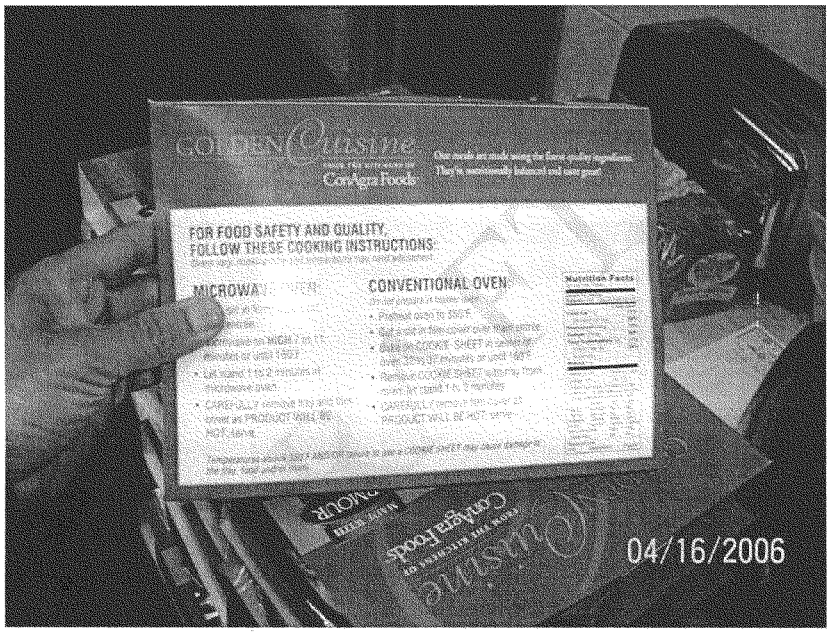
783

Lack of food



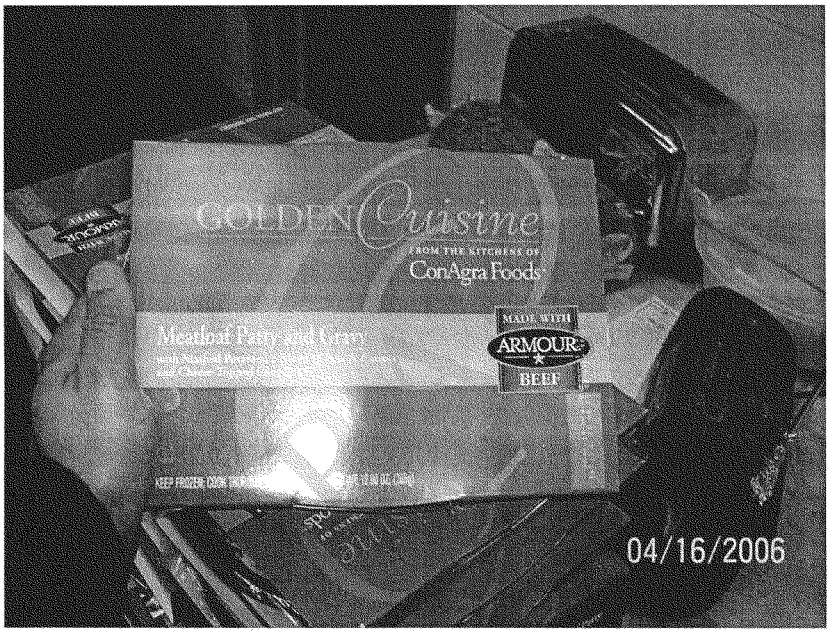
A nutritious food plan for the week – followed with

Lack of food



Prepared frozen food with a 300 calorie lunch

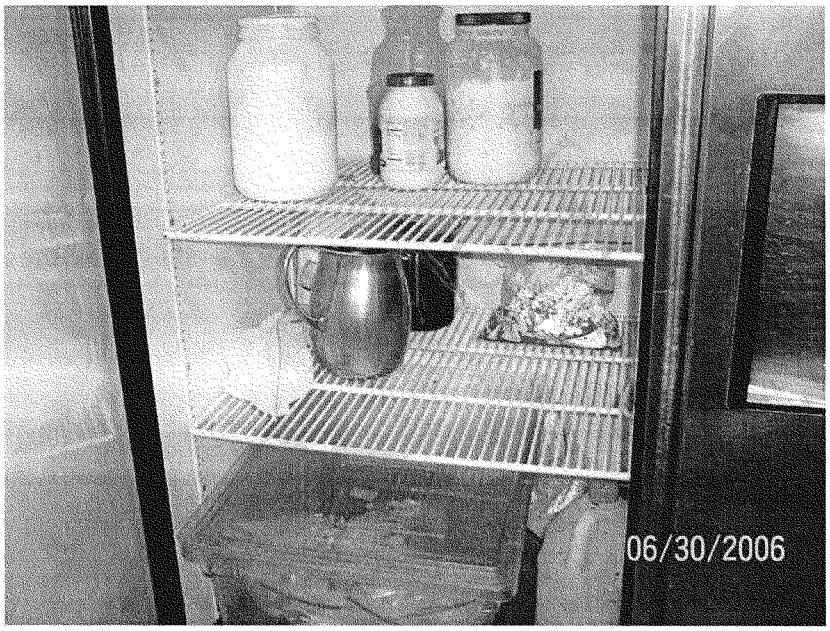
Lack of food



Inadequate lunch

786

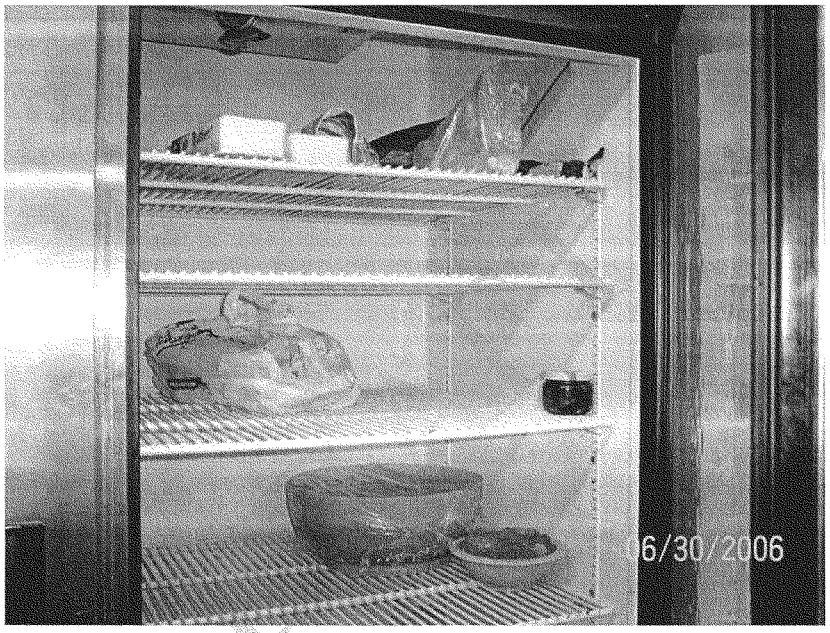
Lack of food



Empty refrigerator June 30th

787

Lack of food



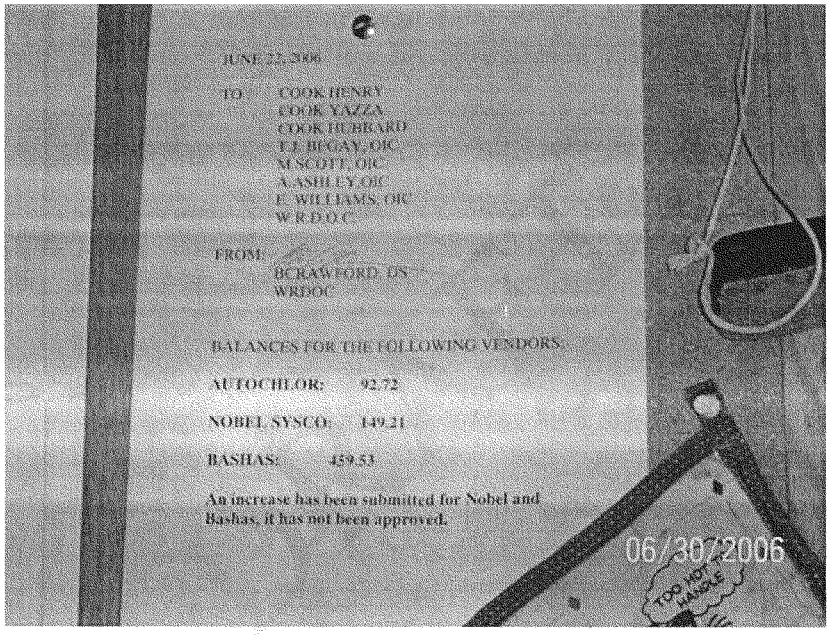
Empty refrigerator top shelves

788

Lack of food

Empty refrigerator bottom shelves

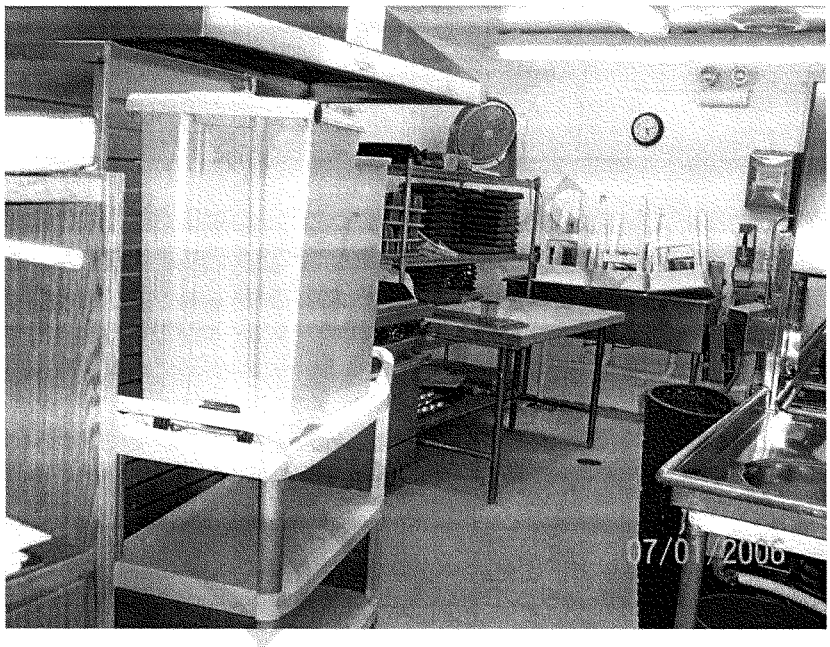
Lack of food



Notice on June 22nd to Cook indicating severe shortage of funds to procure food. On the day of the visit, June 30th, there were about six dollars left to procure food for the inmates.

790

Lack of food



Kitchen – early morning July 1st

791

Lack of food

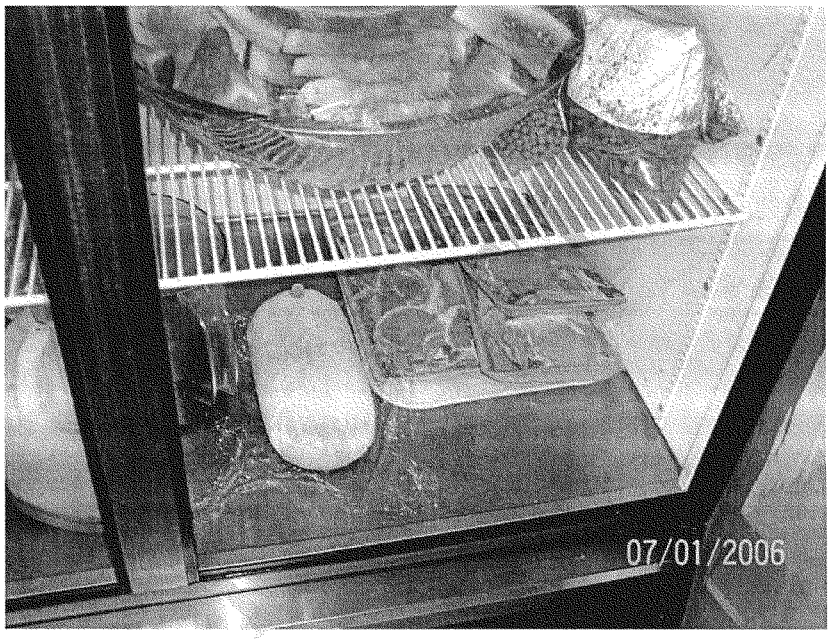
Empty refrigerator is now full. Top shelves, July 1st

792

Lack of food

Empty refrigerator is now full. Bottom shelves, July 1st

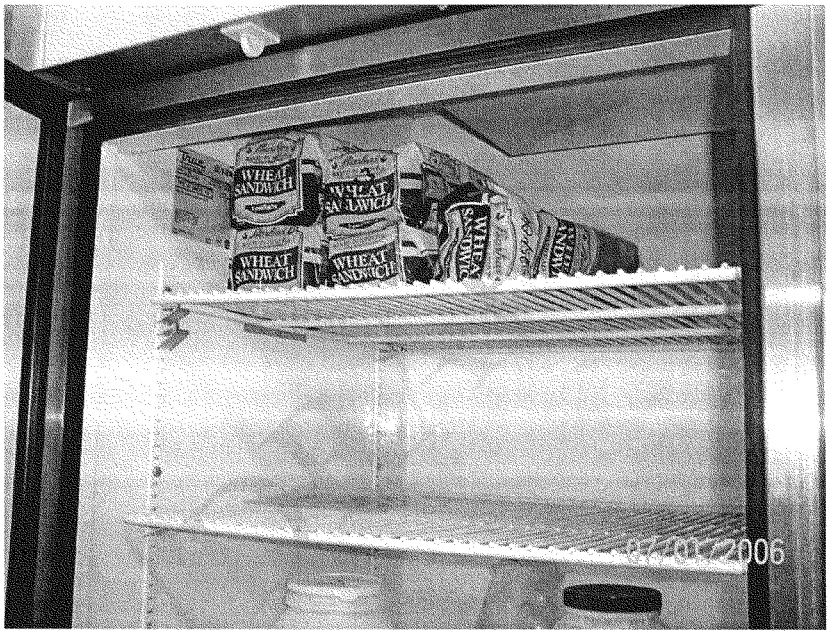
Lack of food



Empty refrigerator is now full. Bottom shelves, July 1st

794

Lack of food



Fuller refrigerator than June 30th

795

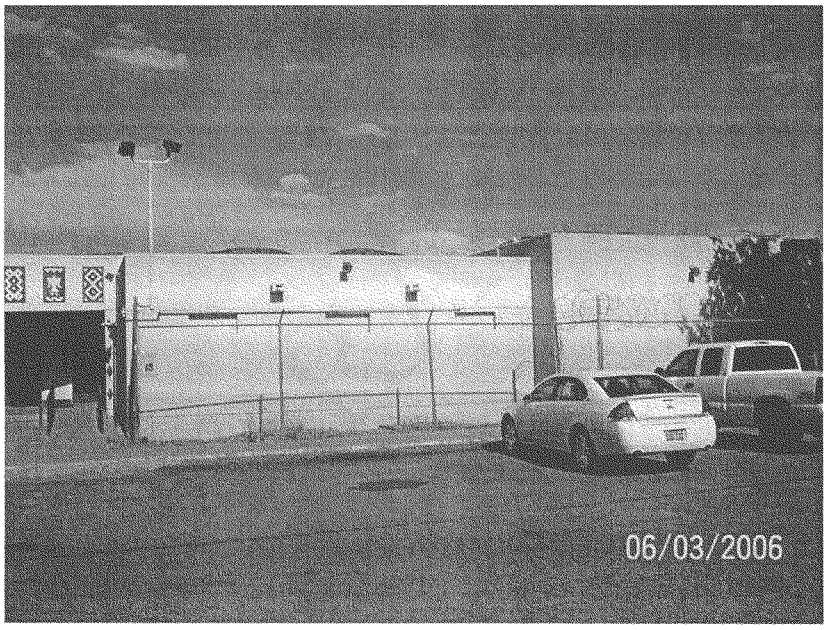
Lack of food

New food plan

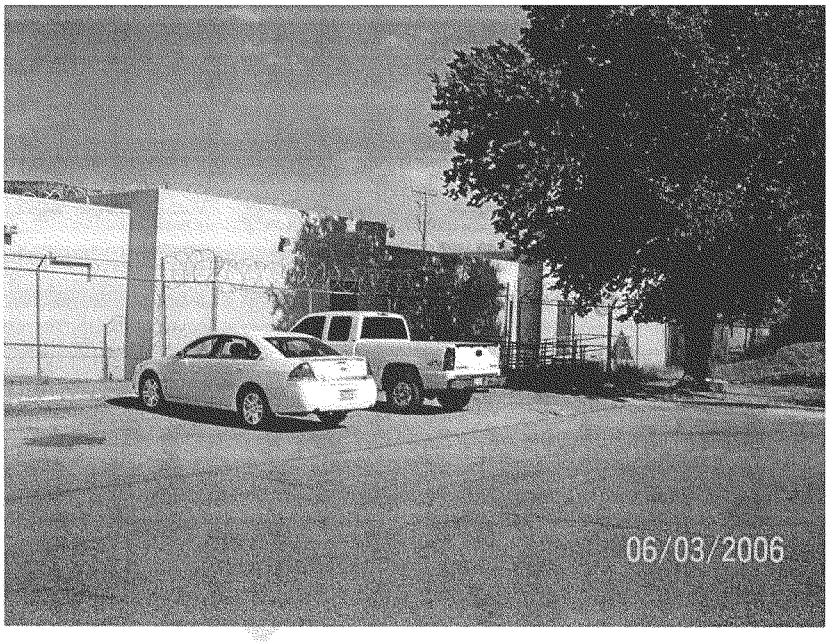
DRAFT

11 - Perimeter Challenges

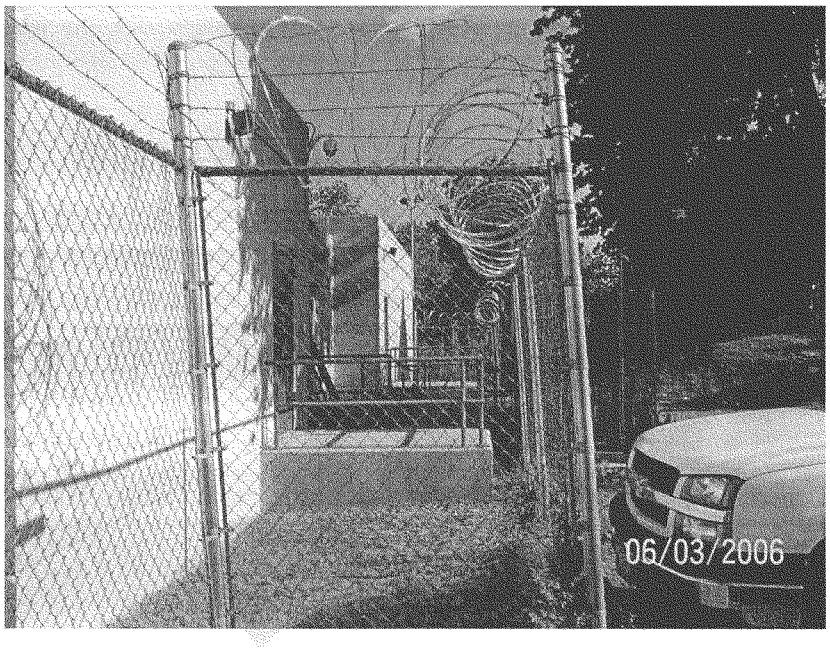
Perimeter security is a constant challenge. Most facilities do not have their perimeter secured, permitting the general public an easy access to the facility and/or to the inmates in the recreation yard.



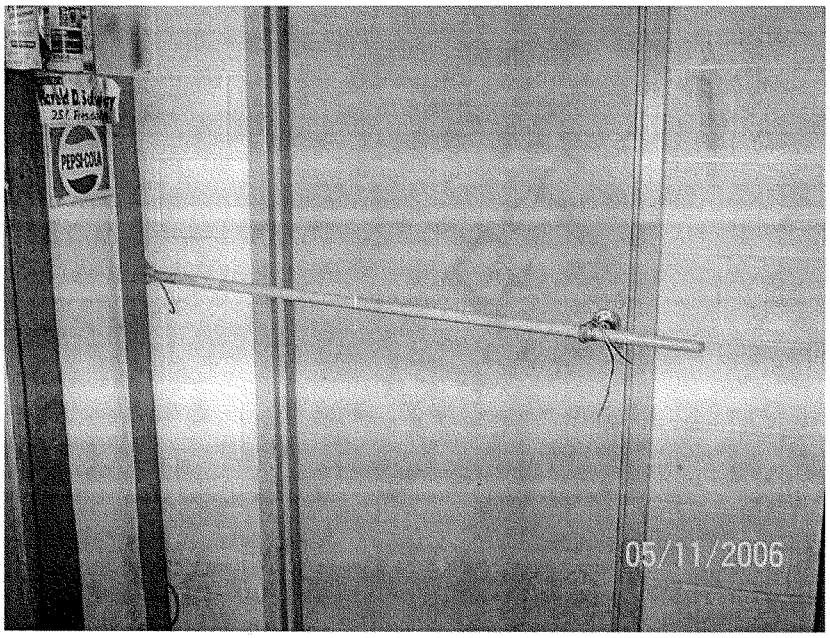
Razor wire above the chain-link fence was never completed



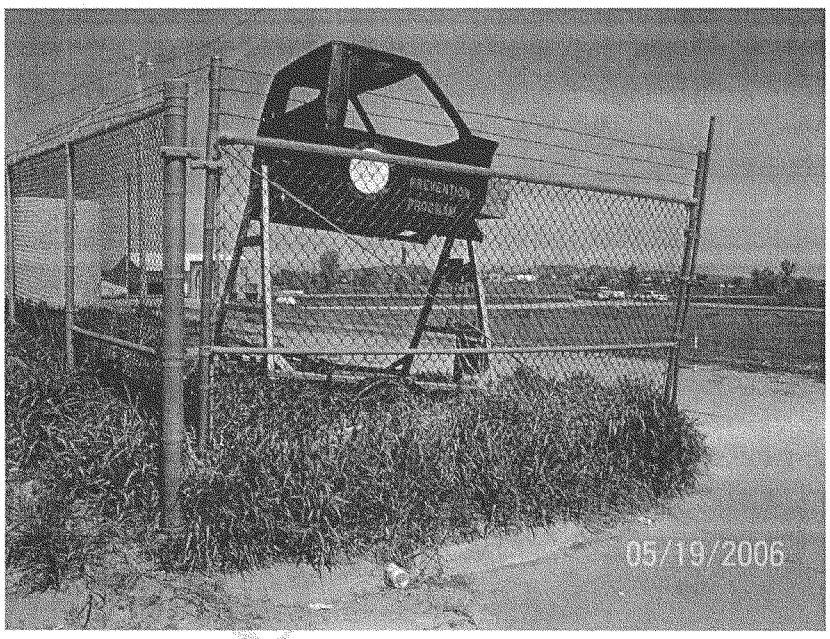
The public parking lot and the recreation yard is accessible from the parking lot and the trail to the right



Unfinished razor wire atop the three strand barbed wire on the chain-link fence



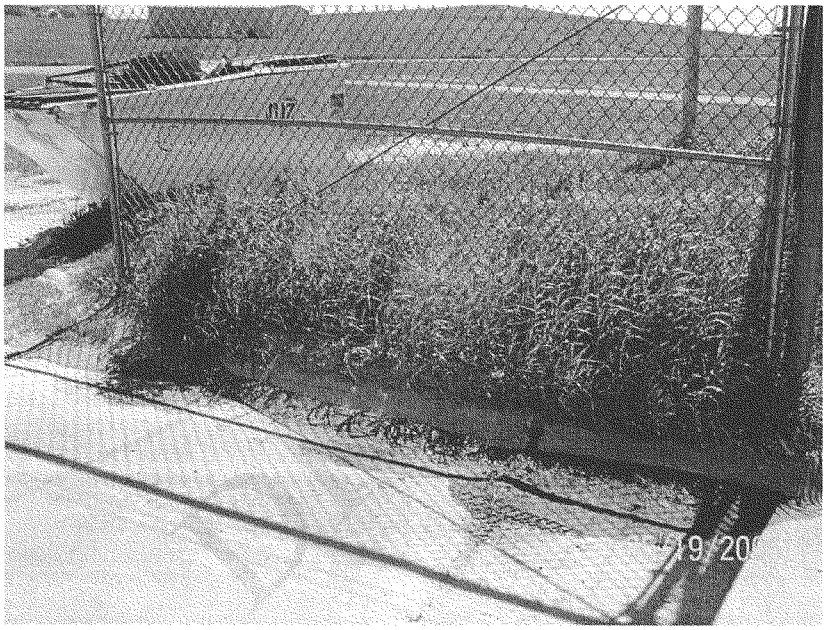
Broom handle secures the substation facility



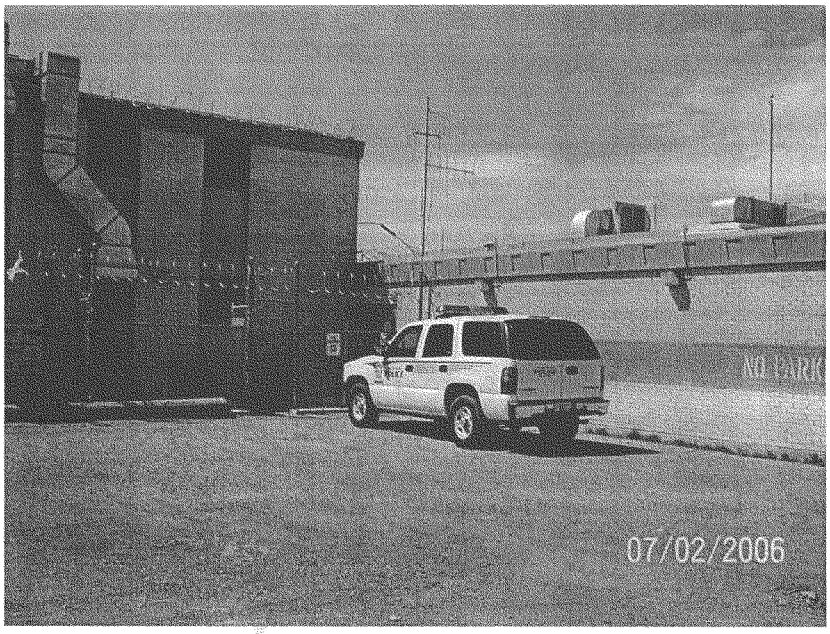
The perimeter fence gate has not been closed for a number of years

802

Perimeter Security Challenges

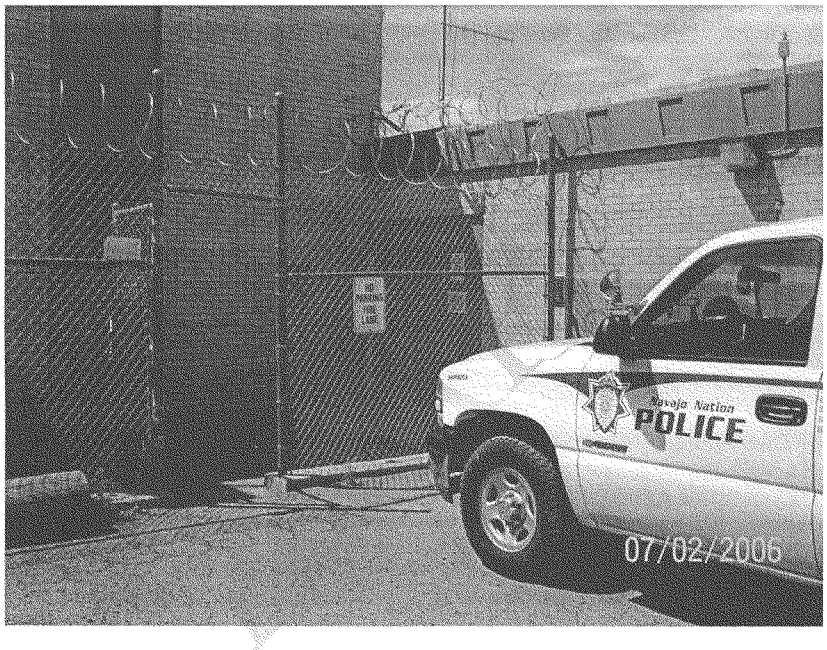


The perimeter fence gate has not been closed for a number of years



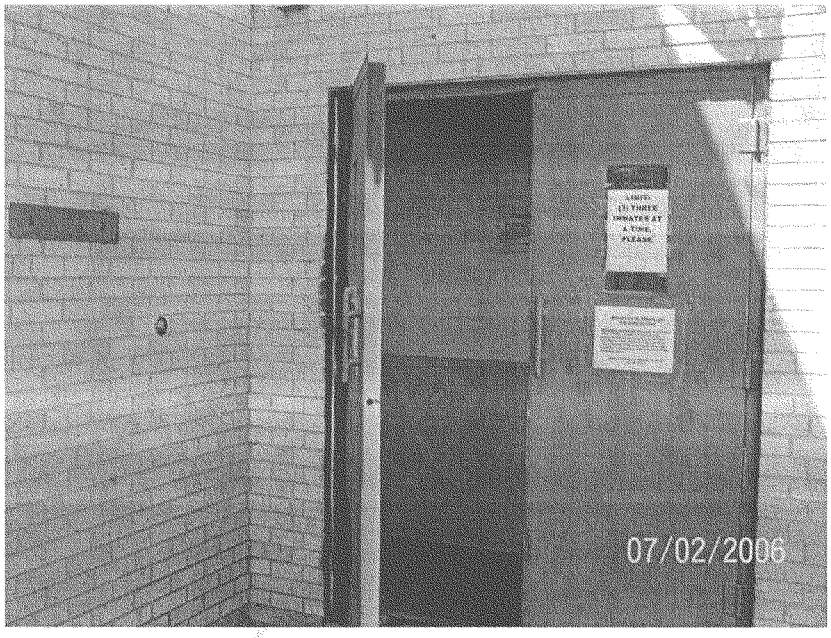
The sally port inner fence entrance is left open

The outer perimeter fence gate is also left open



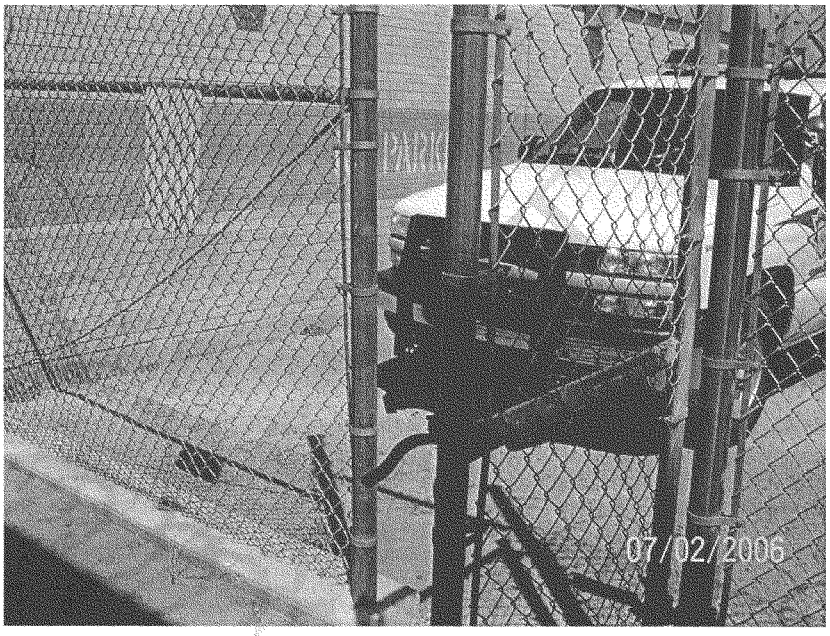
Close-up of the sally port inner fence gate left open. The entrance door beyond, to the facility is also left open

View of the inner fence gate and the entrance door left open. Note the skew on the entrance door compared to the fence post.

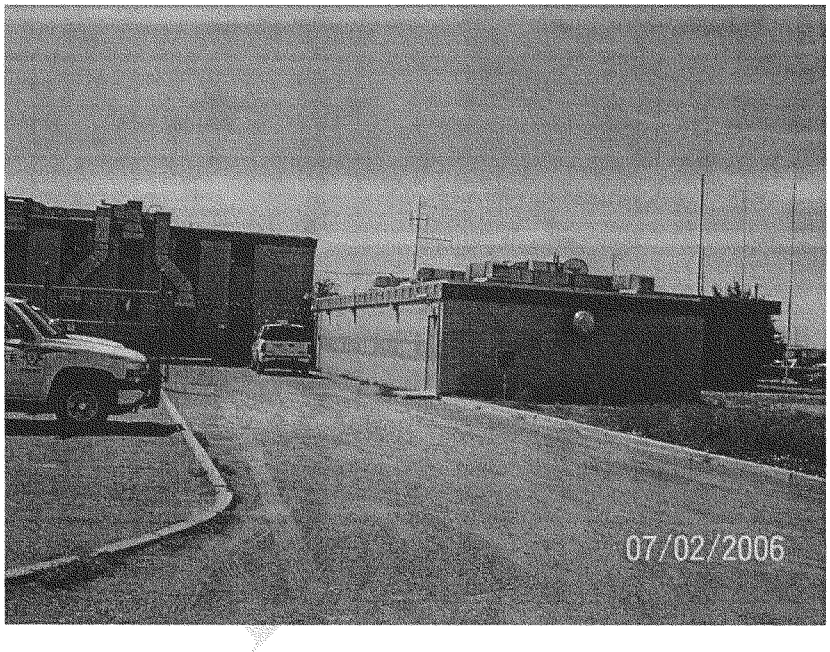


The entrance door is left open because the building has sufficiently settled in the soil to skew the door jamb so the door is misaligned with the frame and cannot be closed shut.

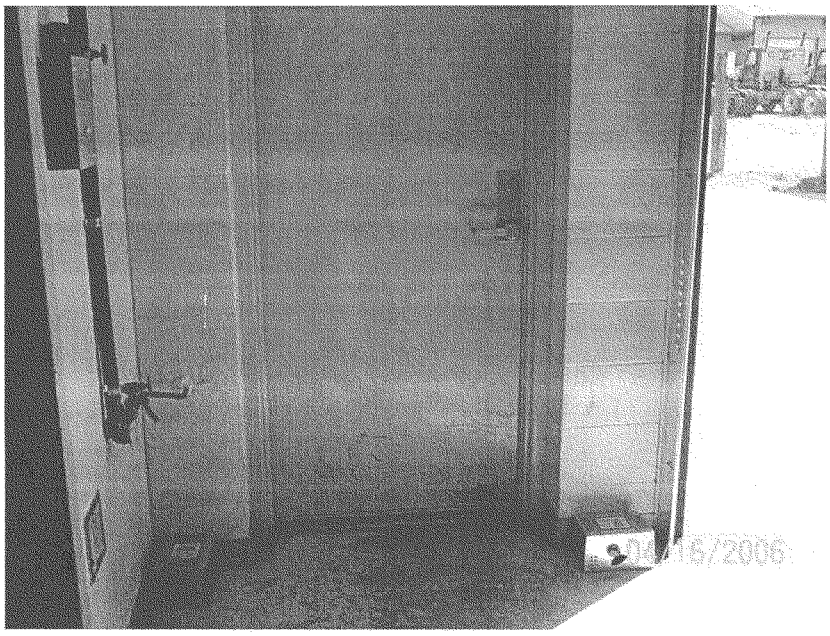
There is no locking mechanism at the door



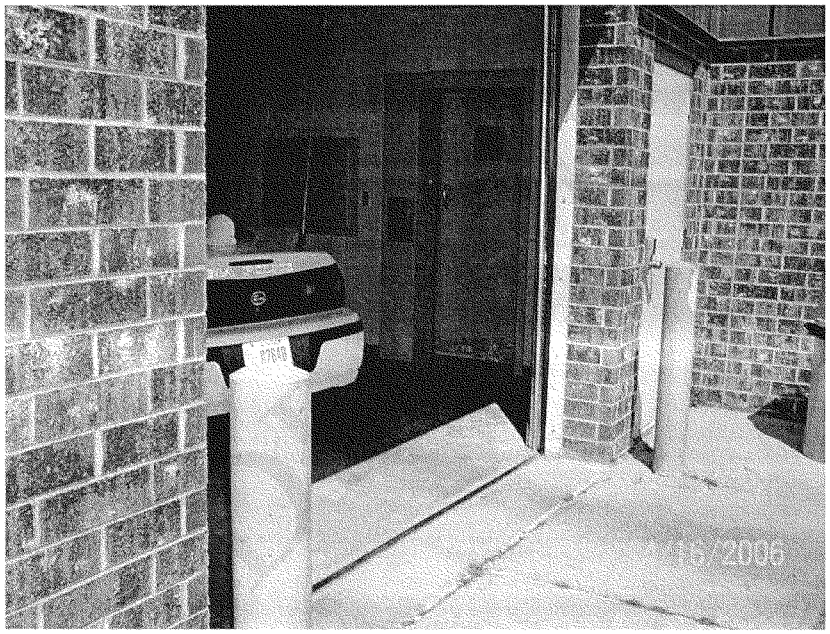
A half-hearted attempt to close the inner fence gate but without a latch or lock



An overview of the access to the facility



A person-entrance door within the sally port, that cannot be secured from inside. Once inside the sally port space, inmates have walked away by twisting the door handle which opened the door.

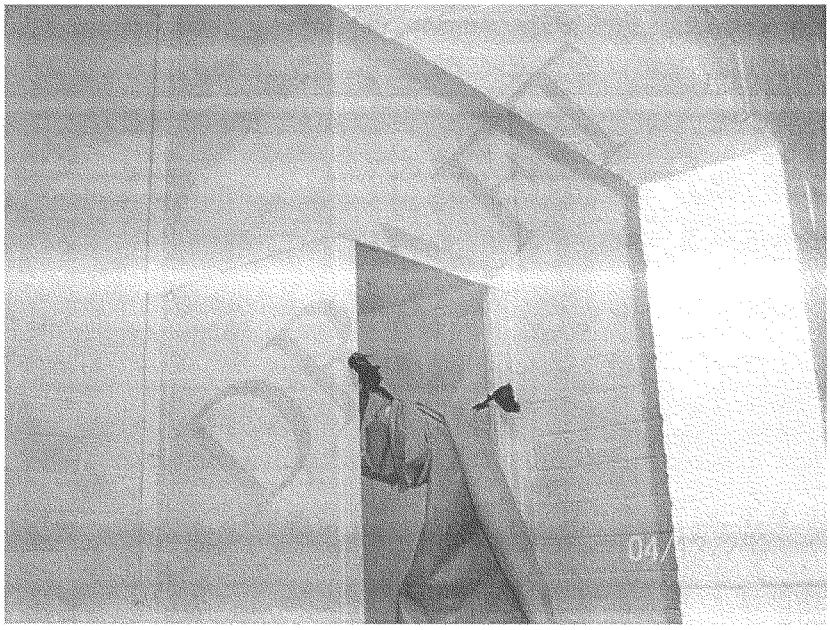


Sally port entrance from the picture above, that is not used by the officers because of a tight turning radius into the 'one-way' sally port.

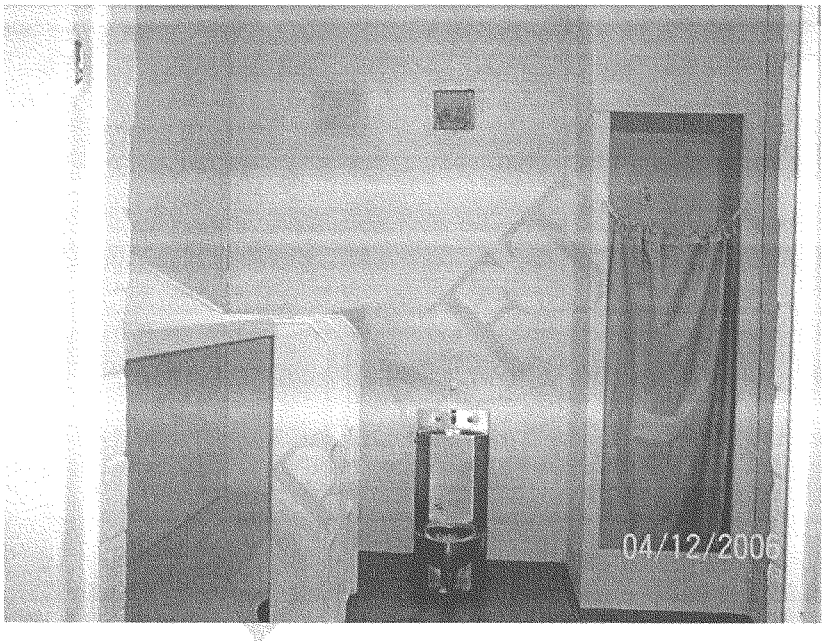
DRAFT

12 - Personal Harm Challenges

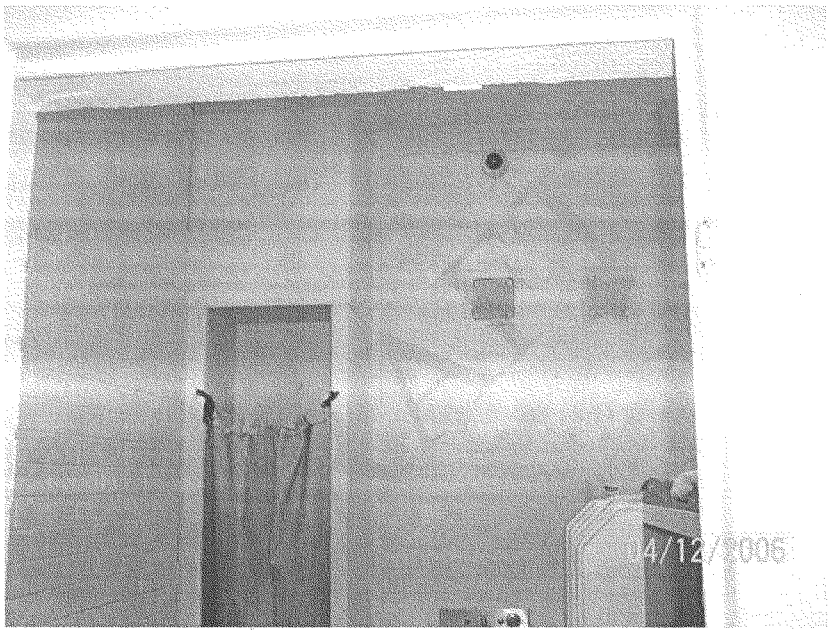
A constant awareness is needed to prevent inmates from causing harm to themselves while in custody. Carelessness and apathy can cause an unnecessary tragedy as is noted in the pictures that indicate where inmates are provided – inadvertently, strings and electrical cables in the cells and day rooms.



Strings and garbage bag plastics serve as shower curtain rods in the cells

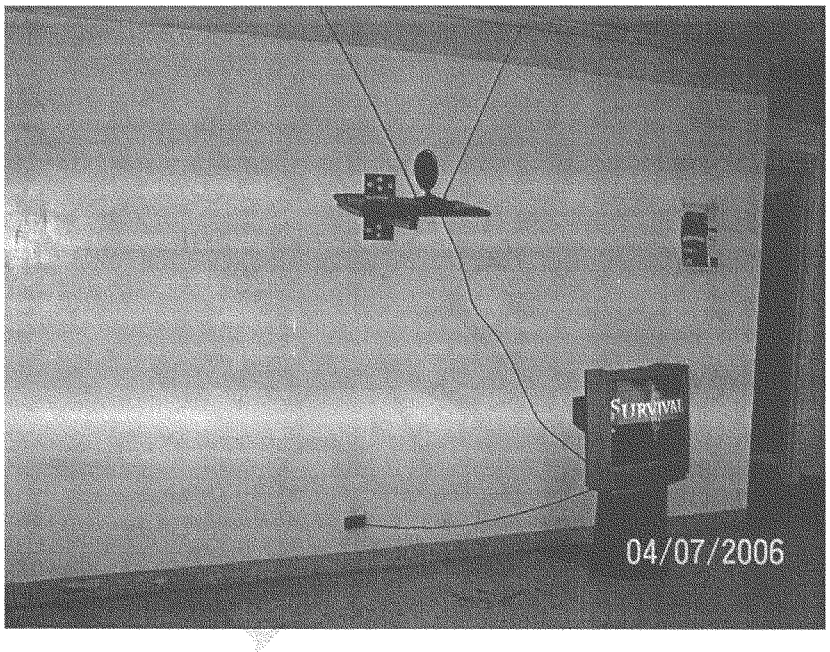


Strings and garbage bag plastics serve as shower curtain rods in the cells



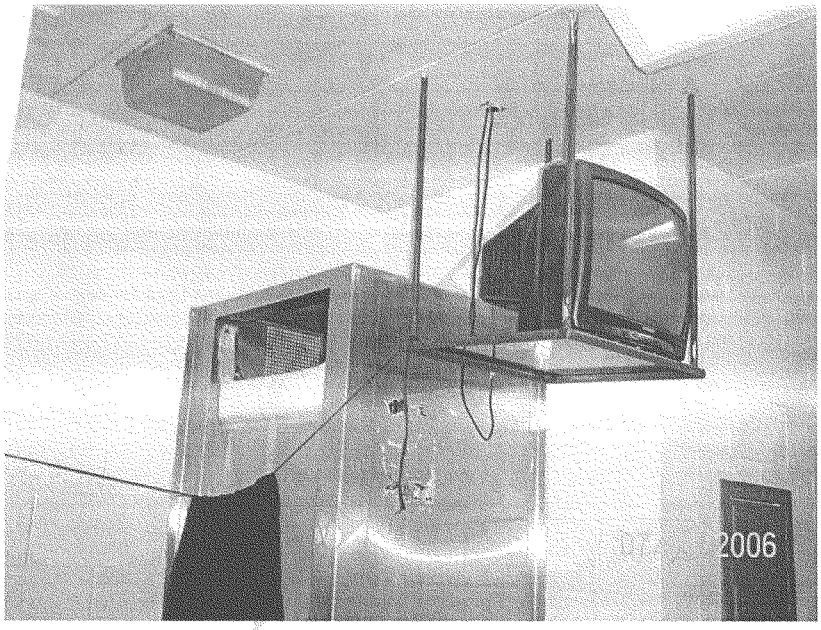
Strings and garbage bag plastics serve as shower curtain rods in the cells

Personal Harm - Challenges

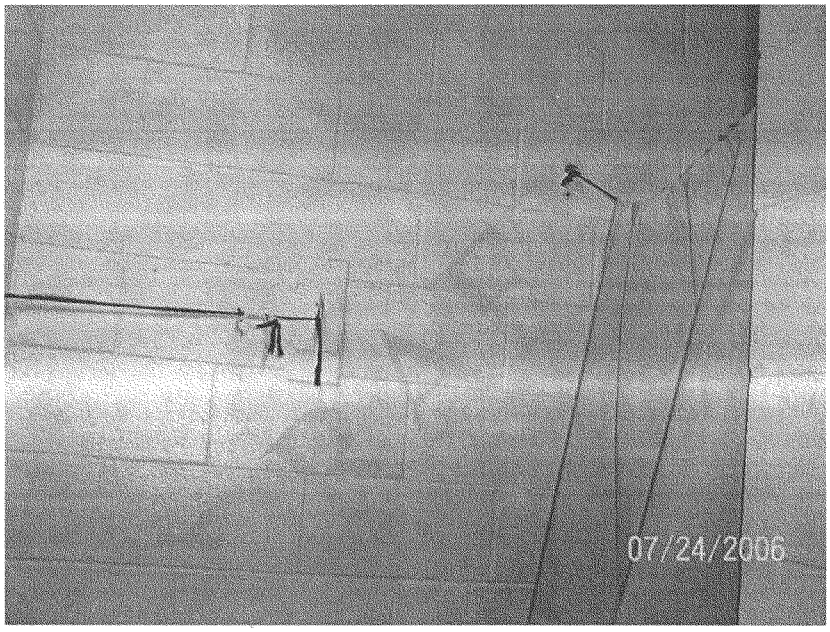


Electrical cables and cords are available to the inmates in the day room

Electrical cords for radios in the cells are available to the inmates

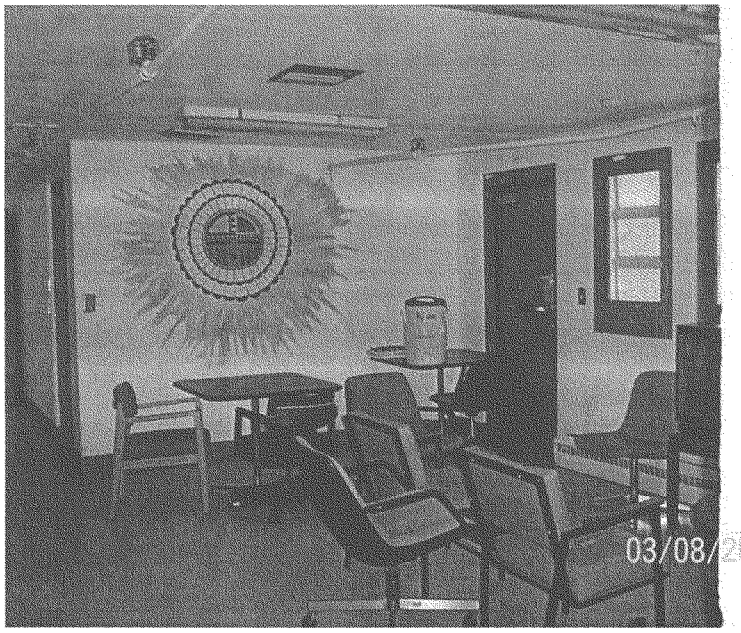


Electrical cords and strings used for shower curtains are available in inmate cells



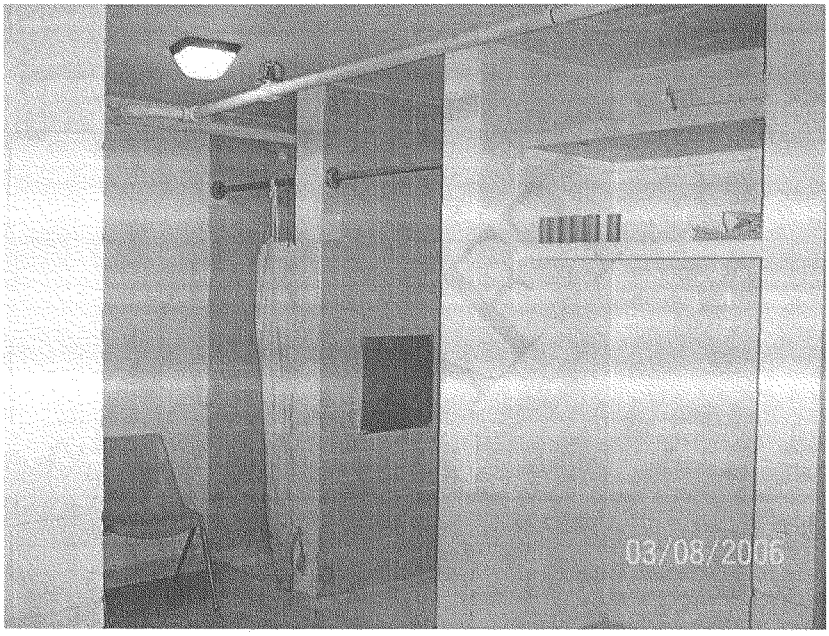
Strings used as shower curtain rods and vanity curtain rods in the cells

Strings used for vanity curtain rods in the cells

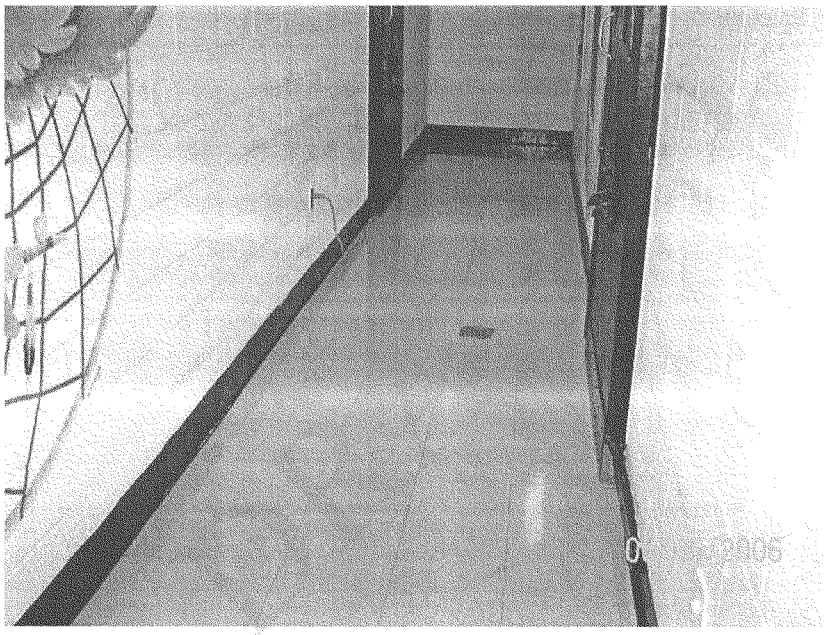


Exposed sprinkler piping in the day room. See picture below.

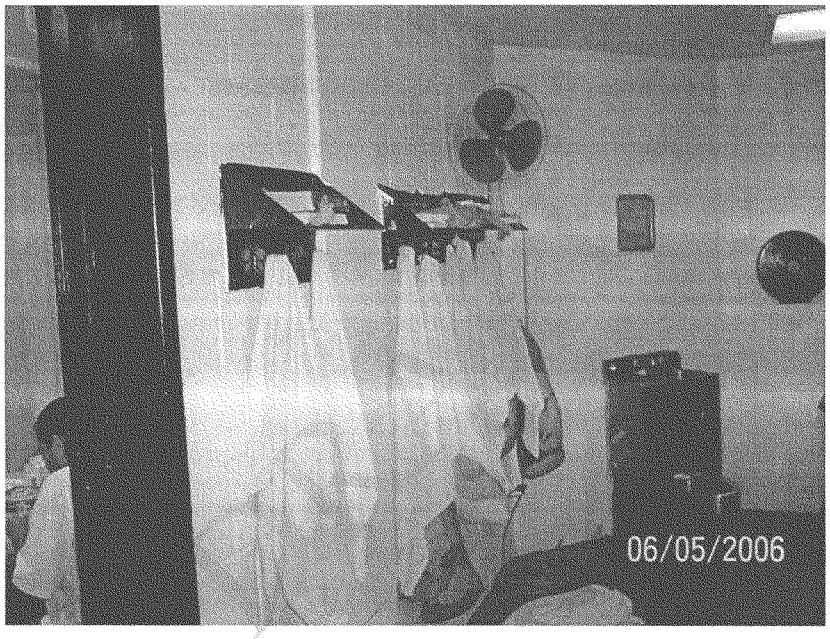
Inmate dayroom with kinked sprinkler piping, resulting from excess weight. Accessible electrical cords in the day room.



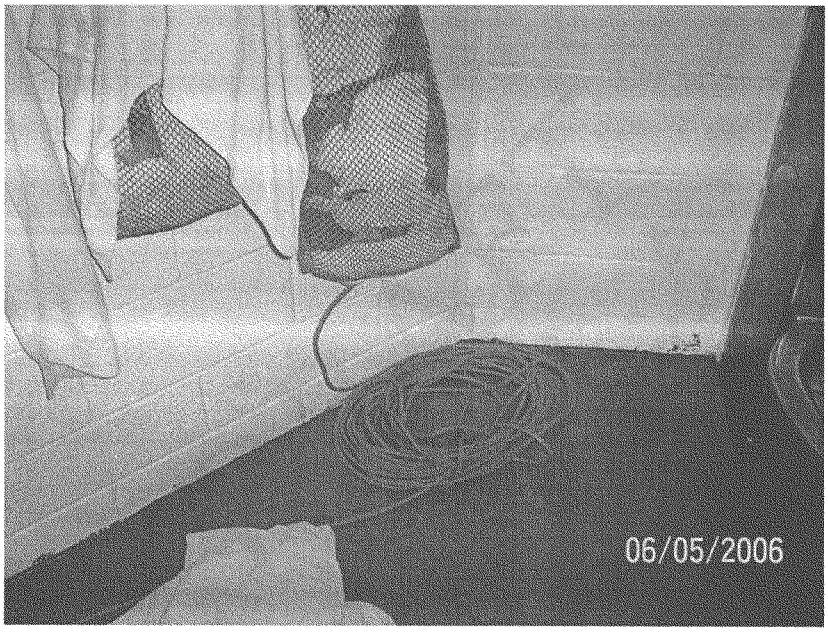
Strings used with shower curtains in shower area



Electrical cords serving radios in the cells



Extension cord in a day room used for a circulating fan for air circulation

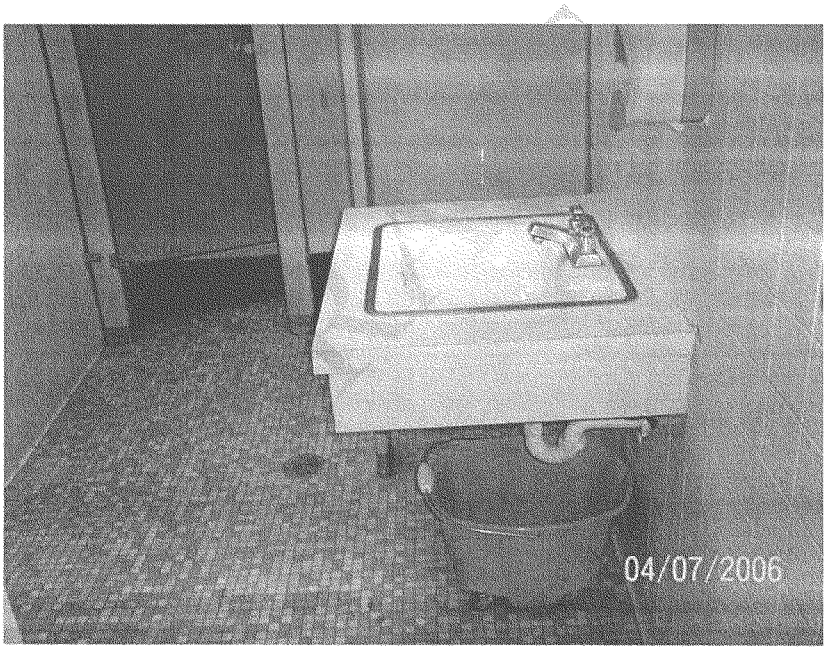


Extension cord in a day room used for a pedestal fan for air circulation

DRAFT

13 - Plumbing Challenges

Deteriorated plumbing lines and plumbing fixtures are a constant challenge in every facility except for the very new facilities.

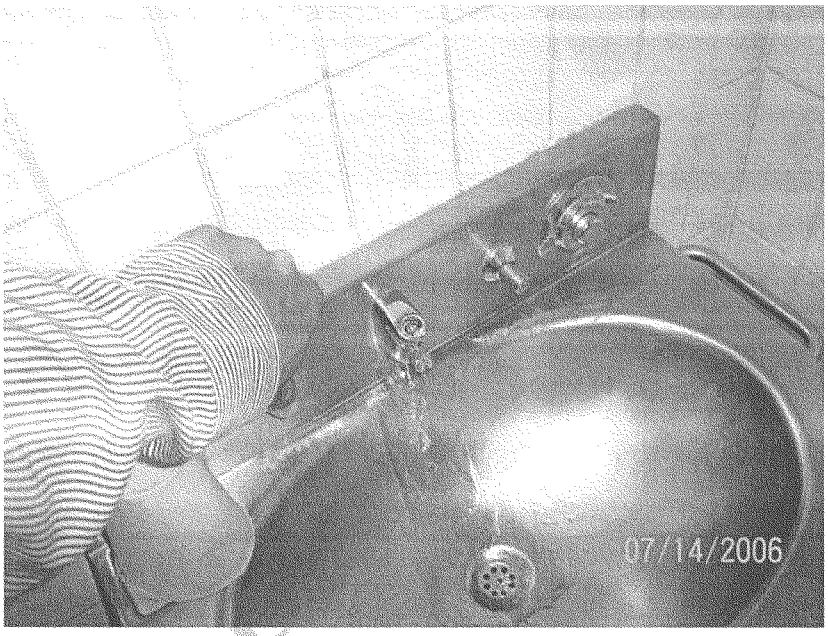


Water leak buckets in a staff restroom

Inoperative combination sink-toilet unit

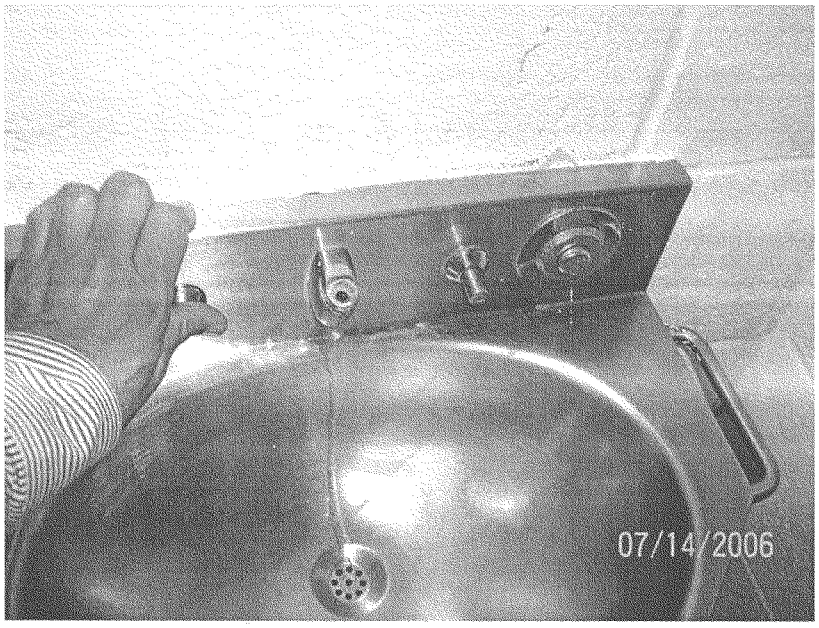
Condensate water overflow from the roof HVAC unit

Close-up of picture above

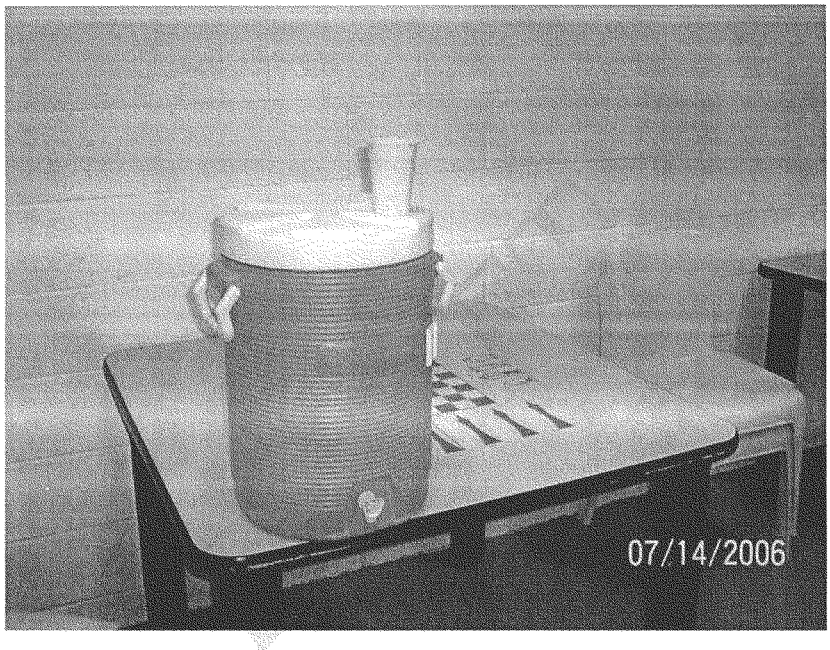


Dribble from sink-toilet combination unit

Dribble from sink-toilet combination unit

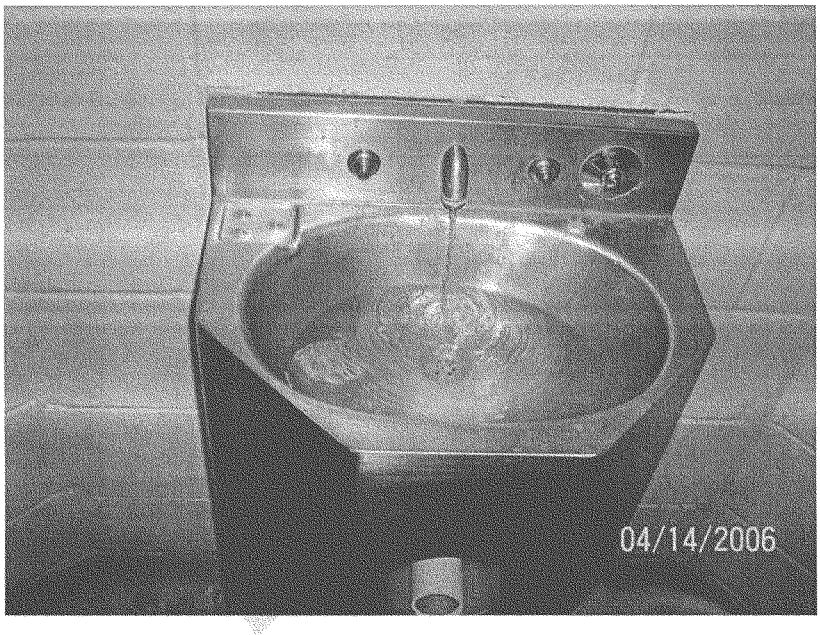


Dribble from sink-toilet combination unit

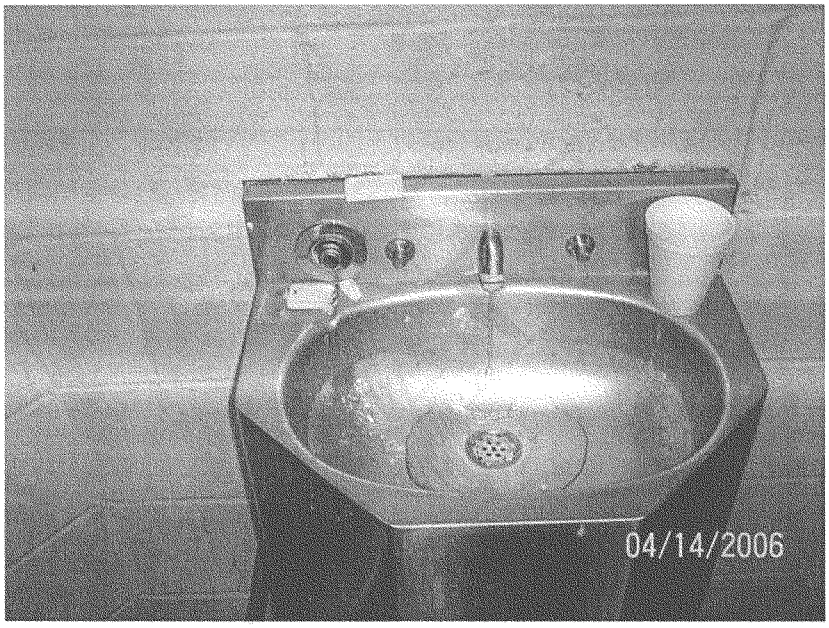


Drinking water for inmates

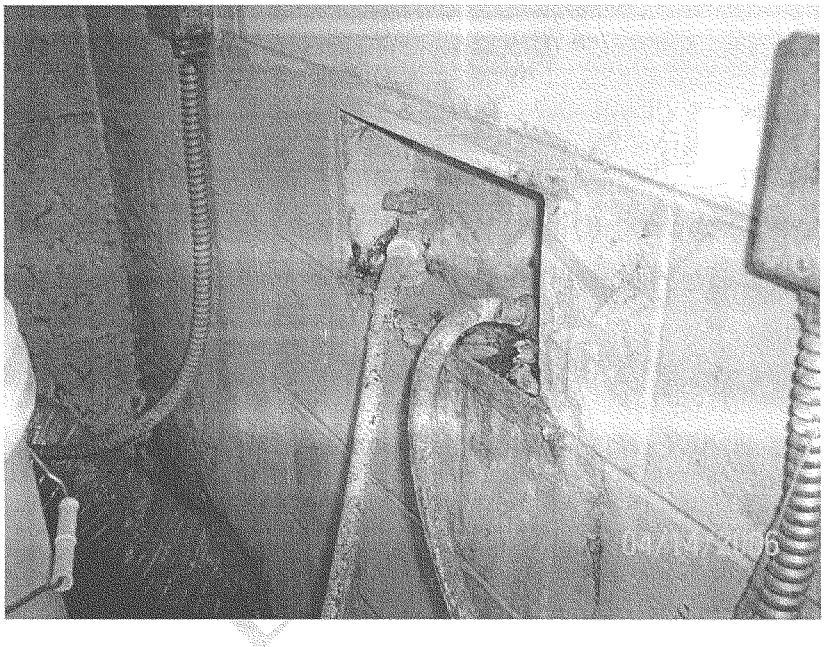
Inoperative toilets at the officer's restroom



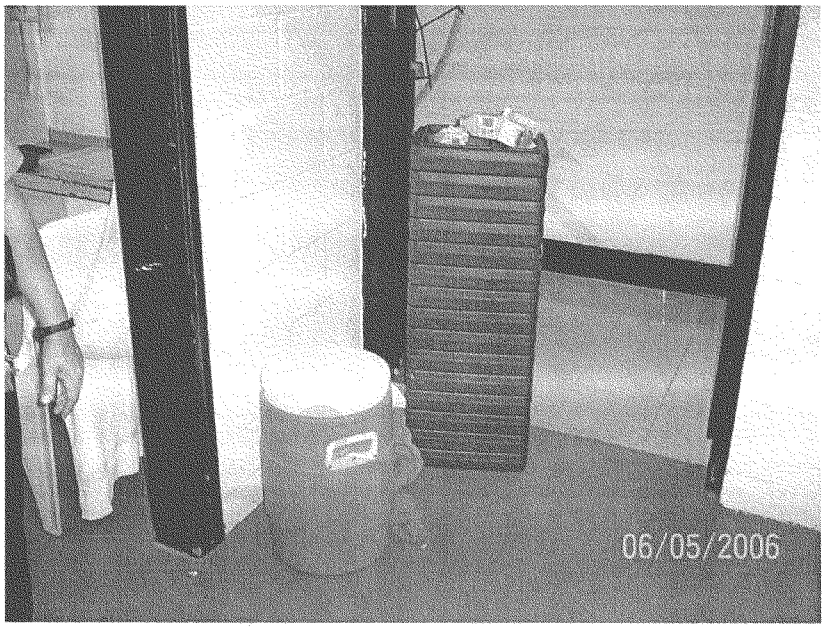
Plugged drains at the sink-toilet combination unit



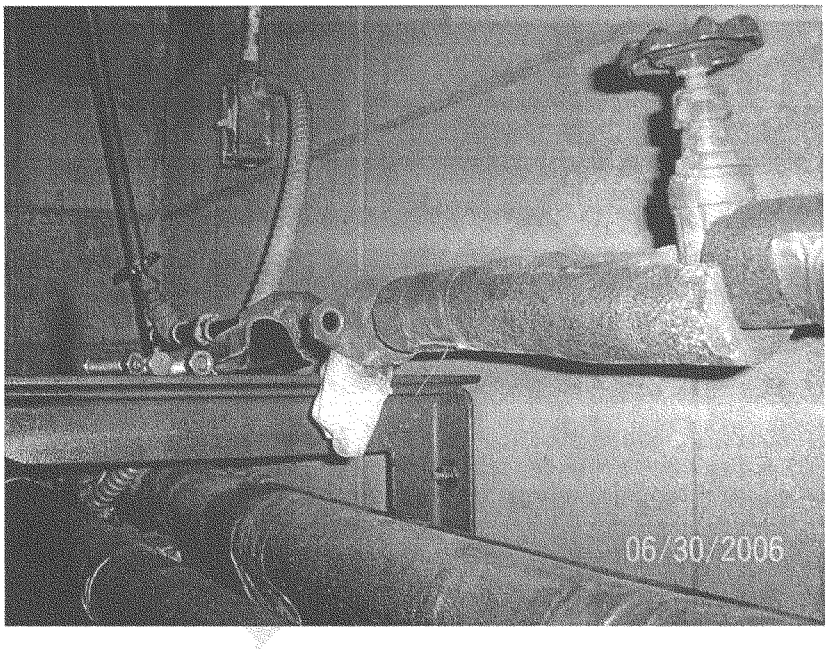
Plugged drains at the sink-toilet combination unit



Water Leaks for the washer and dryer lines

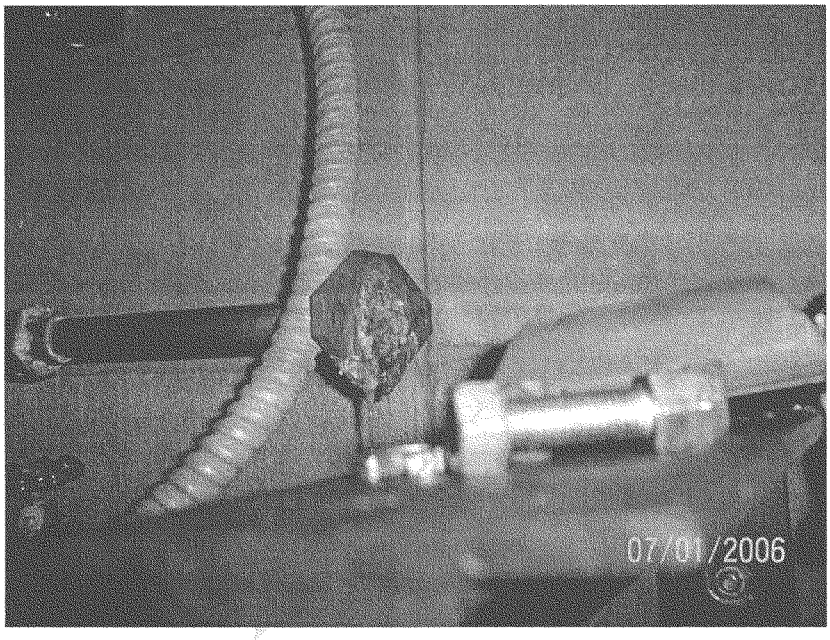


Drinking water supply for the inmates

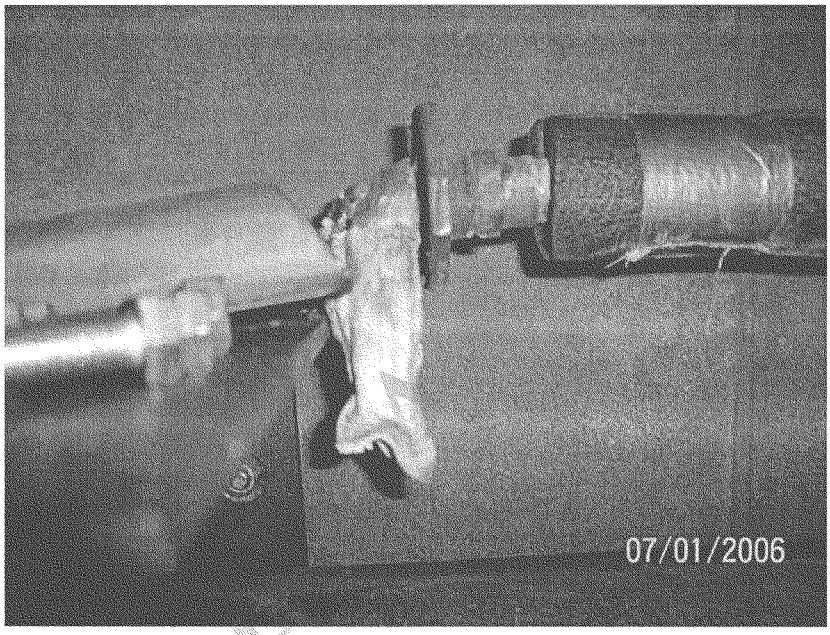


Missing hot water recirculation pump for over a year for the hot water to the women's showers

Out of service sink-toilet combination units



Circulation pump removed but not replaced for long enough duration to cause excessive buildup of corrosion



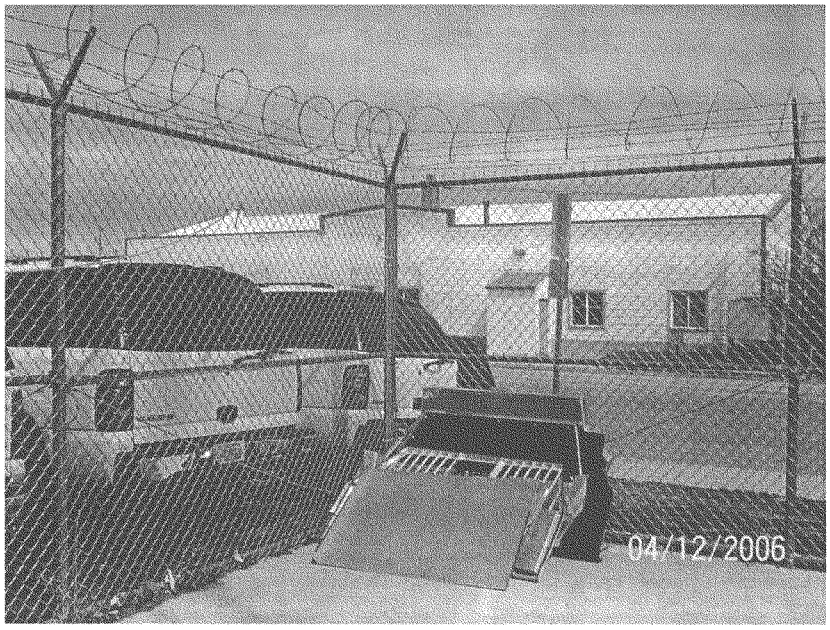
Makeshift cloth plugs to prevent leaks

Makeshift cloth plugs to prevent leaks

DRAFT

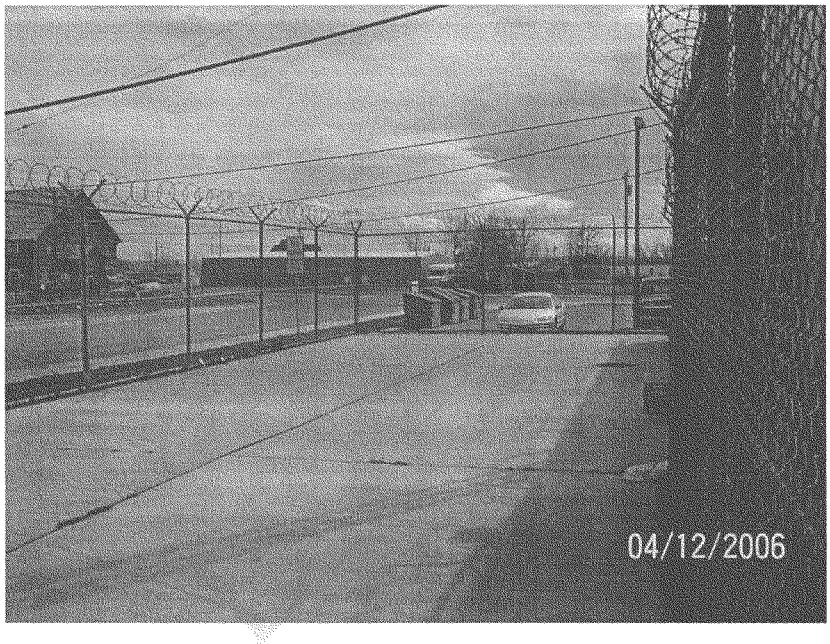
14 - Recreation Yard Challenges

Most facilities have stopped providing outdoor time to inmates because of dysfunctional recreation yards. These yards are now used for other purposes and are a risk to the safety and security of inmates and officers.



Recreation yard used as storage areas

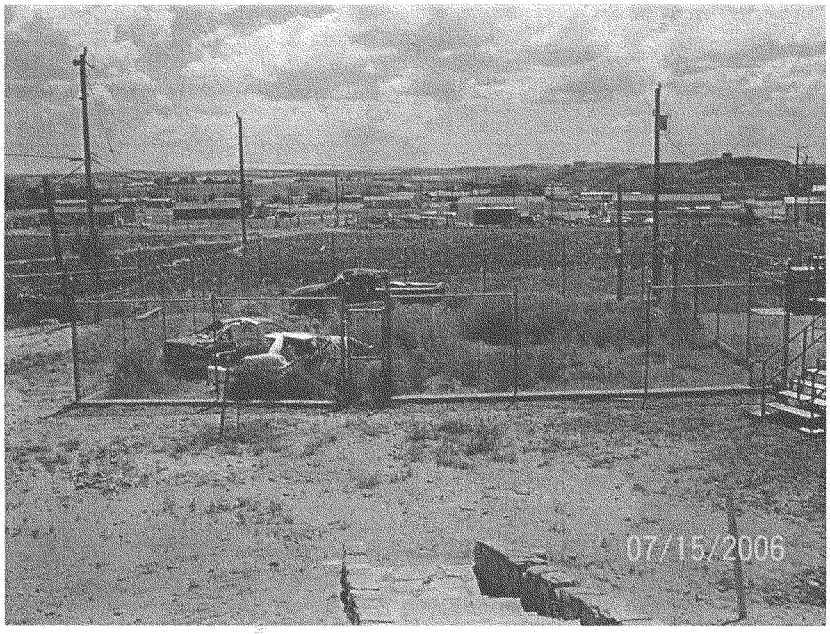
Recreation Yard Challenges



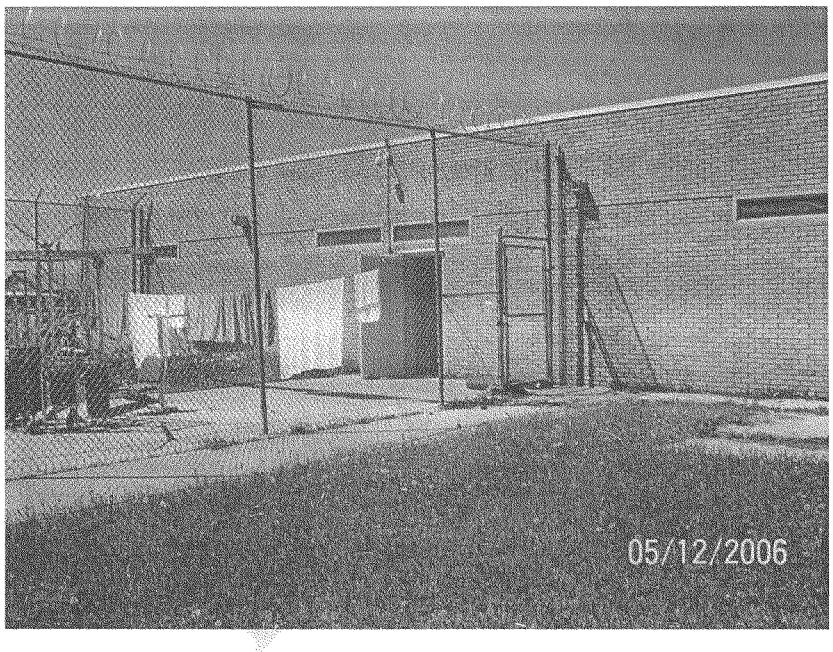
Clothes drying lines in the recreation yard. Used as a substitute for a commercial dryer for bulky blankets.

850

Recreation Yard Challenges



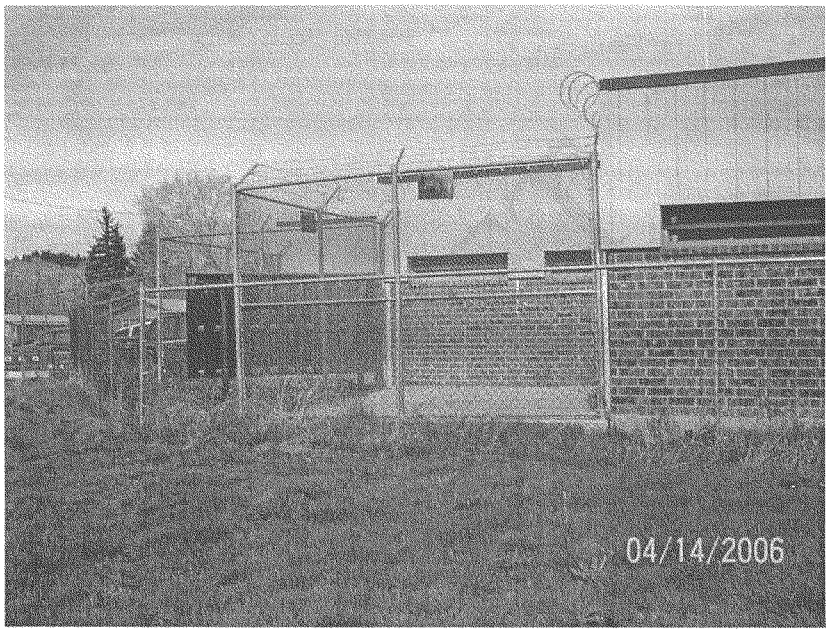
Recreation yard is used for evidence storage



Clothes drying line set up in the recreation yard. Indicative of a lack of working commercial sized clothes dryers

852

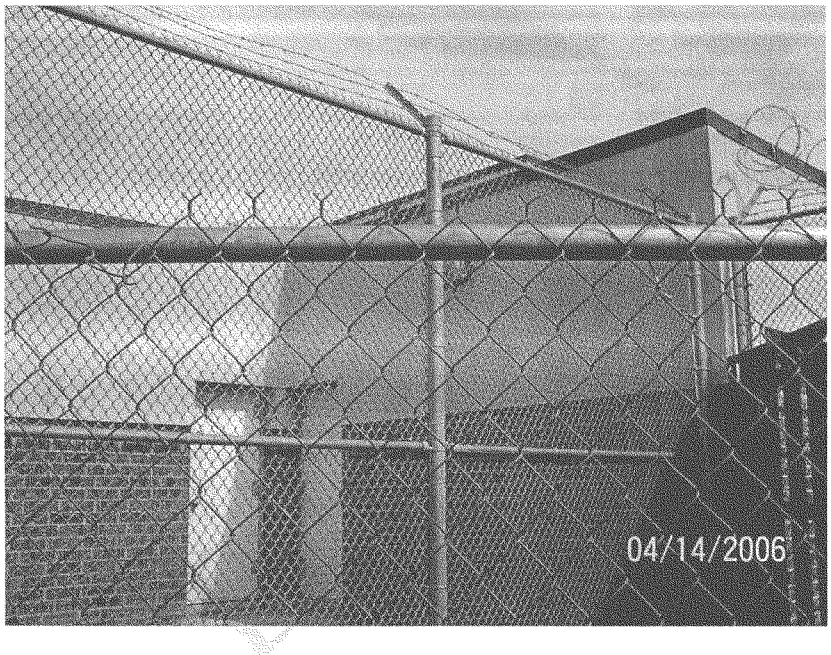
Recreation Yard Challenges



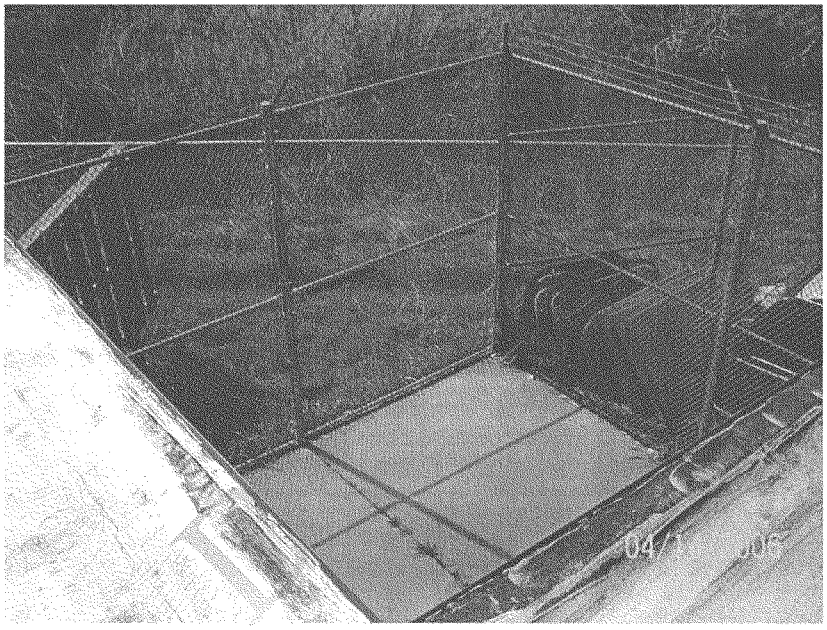
Because of the close vicinity, recreation yards may not be used for emergency evacuation as was stated at this facility

853

Recreation Yard Challenges

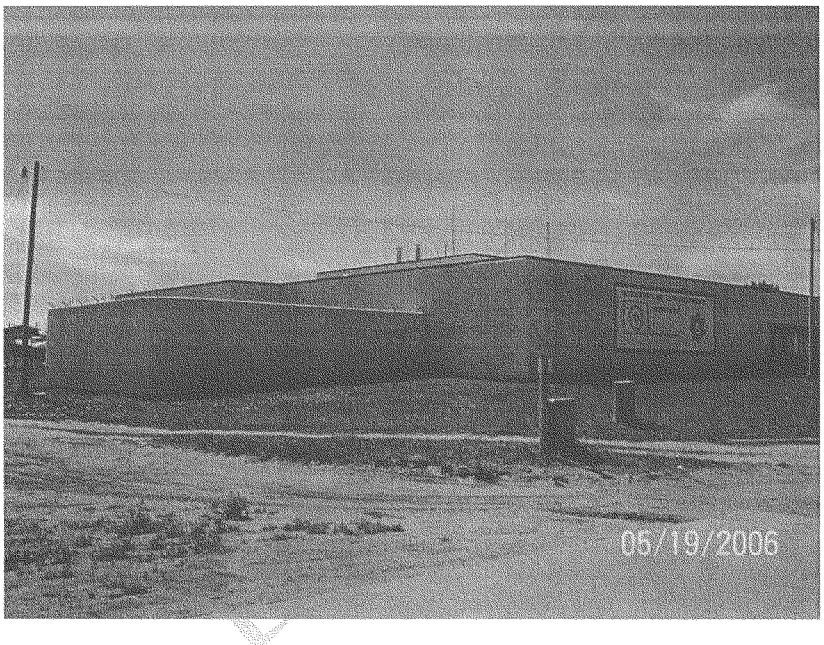


Because of the close vicinity, recreation yards may not be used for emergency evacuation as was stated at this facility

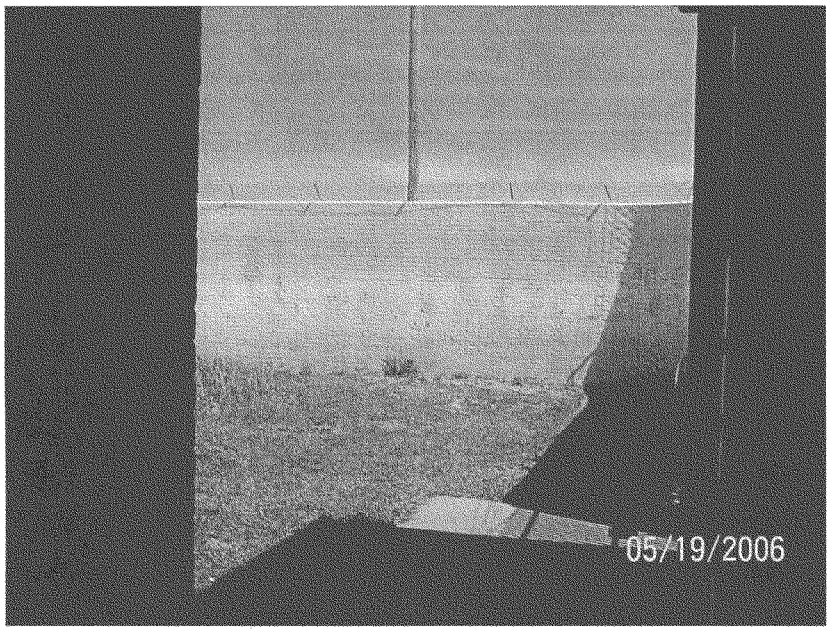


Because of the close vicinity, recreation yards may not be used for emergency evacuation as was stated at this facility

Recreation Yard Challenges



Recreation yard is adjacent to a public road which is used to toss in contraband, for the benefit of the inmates



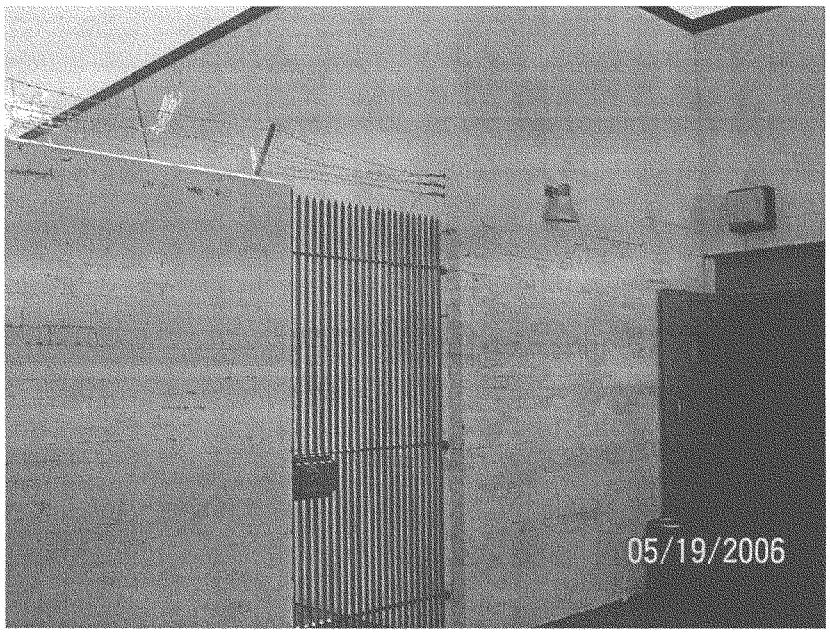
Same insecure recreation yard from the inside

857

Recreation Yard Challenges

Gate in the recreation yard provides an easy climb-out over the crossbars on the gate. There is no perimeter fence beyond this gate.

Gate in the recreation yard provides easy climb-out over the crossbars

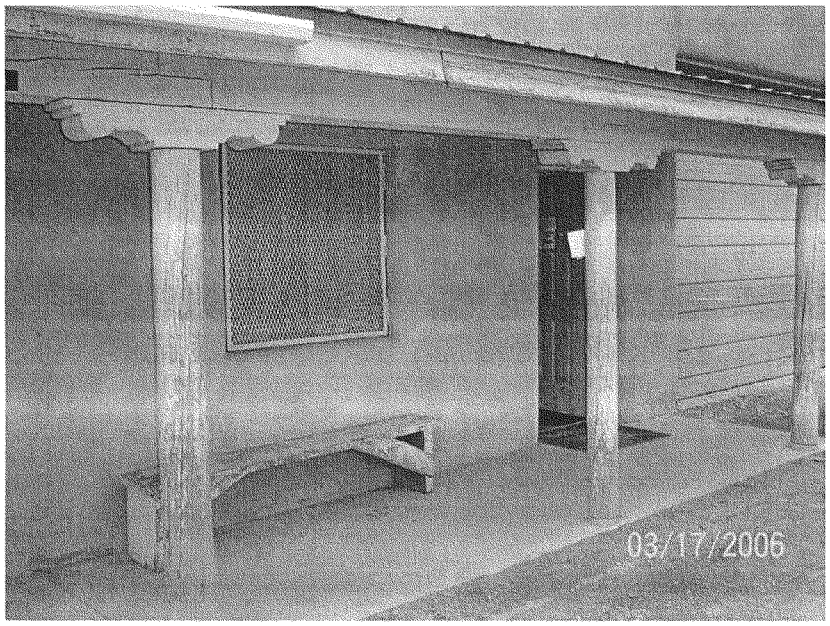


Close-up of the barbed wire above the gate

Recreation Yard Challenges

Where no recreation yard exists, inmates are provided a bench outside the facility while the detention officer 'keeps an eye' on the inmates from the Central Control Station and Dispatch from where this picture was taken.

Recreation Yard Challenges



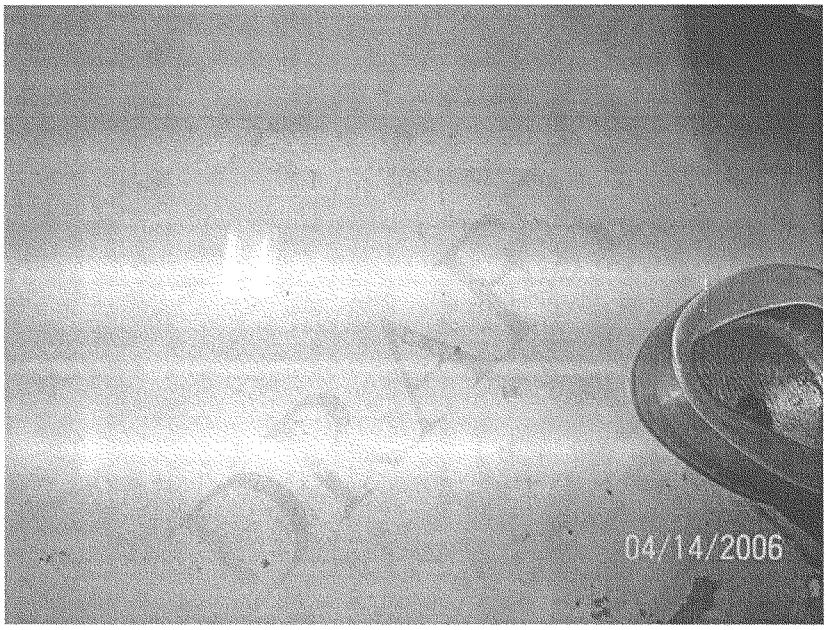
Recreation yard for the picture above

15 - Sewage In Housing

An extension of the plumbing challenges, facilities face challenges with sewage in the housing units as a result of broken connections to sewer lines that have settled lower into the soil over the years, with settling soil conditions

DRAFT

Stains from sewage in the cell, spilled over from the toilet connection at the sink-toilet combination unit



Reflecting lights in the sewage spill over

Reflecting lights in the sewage spill over

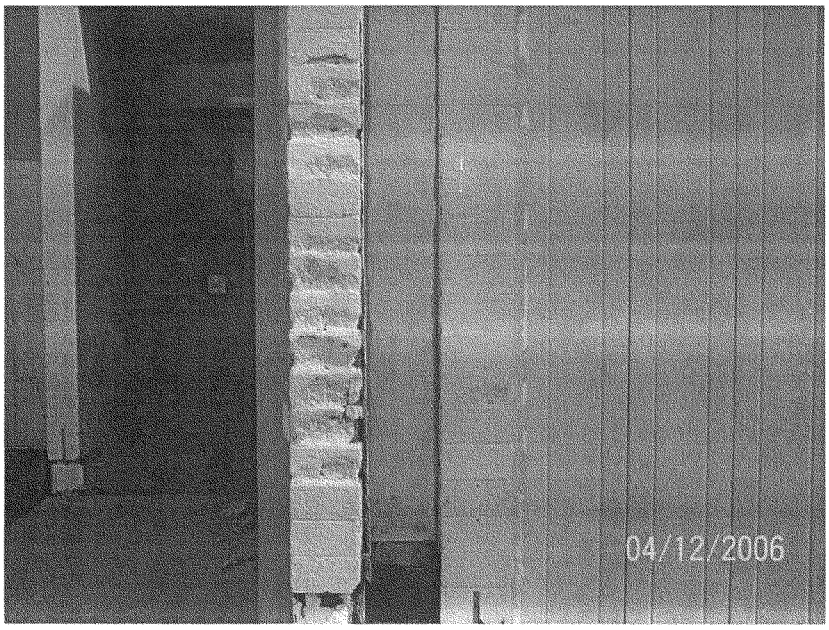
Reflecting lights in the sewage spill over

Wadded up towels on the floor to cleanup the sewage spillover

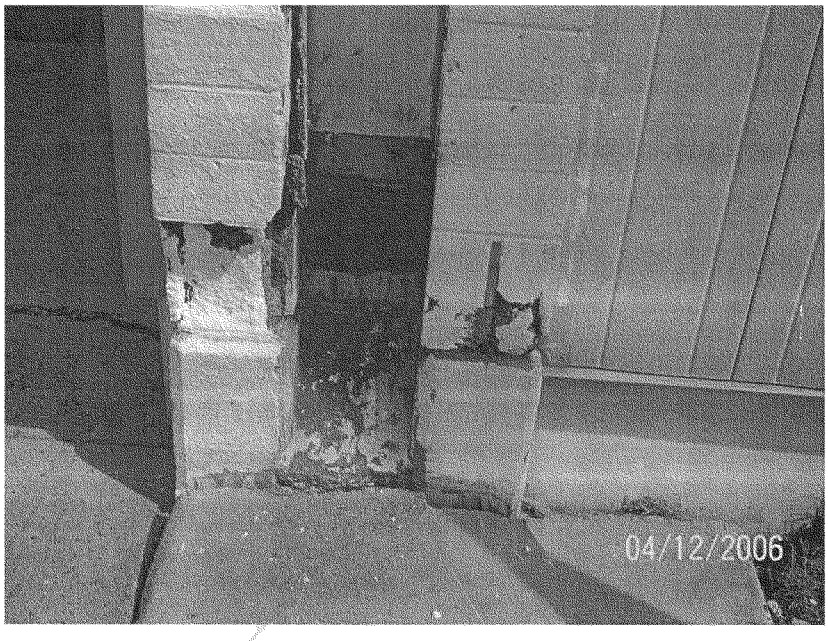
16 - Facility Structure Challenges

Structure of facilities are deteriorating and in disrepair. Aging structures combined with weathering and the rapid settling of soil has accelerated this deterioration. Average age of existing structures, not counting three year or newer, is 26 years old. The oldest structure in use is 70 years old. Typical life of a structure in normal weather and soil conditions is 40 years.

DRAFT

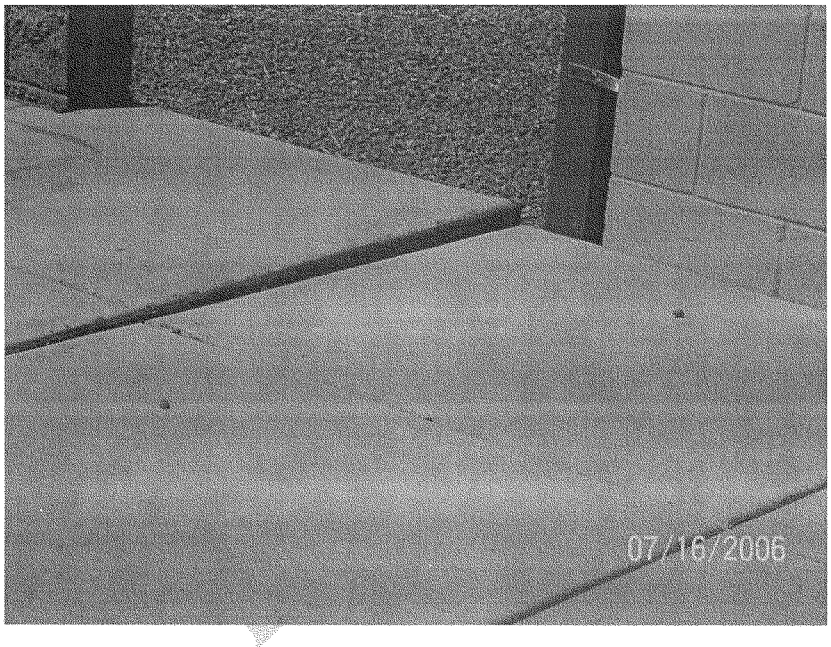


Weathered and crumbled concrete fins

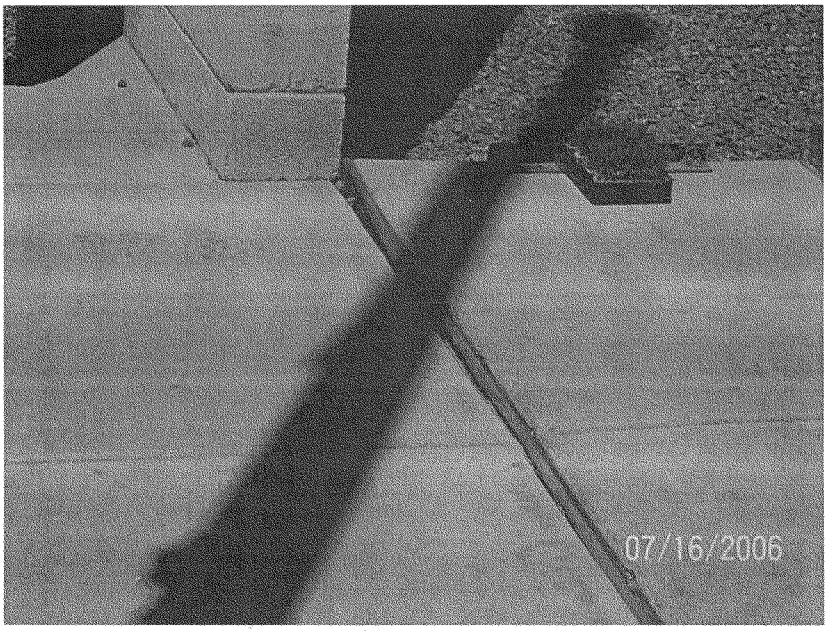


Weathered and crumbled concrete fins

Weathered and crumbled concrete fins



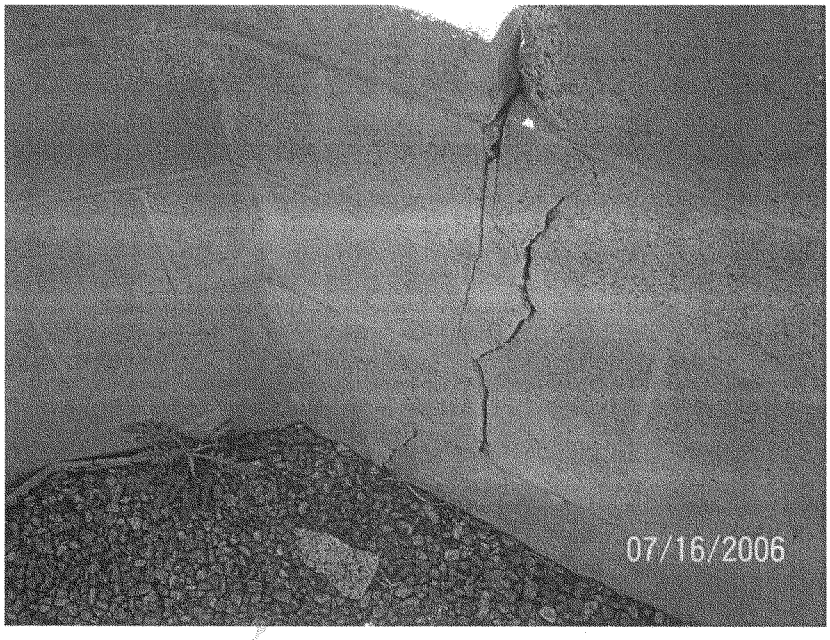
Movement of concrete slab resulting from settling soil



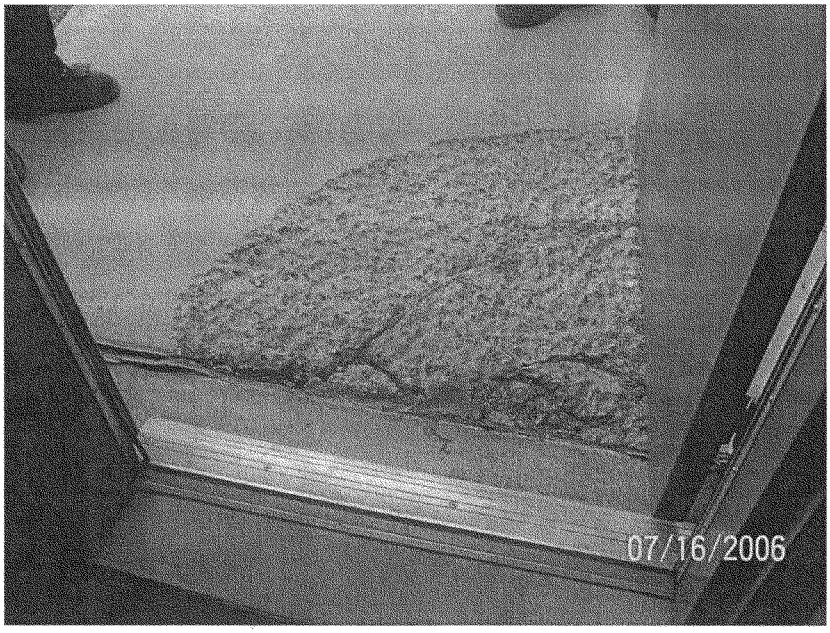
Slab uplifting, approximately 2 inches

Concrete has to be scraped out to permit opening of the door – which is sinking at a faster rate than the concrete slab outside

Soil collapse at a corner

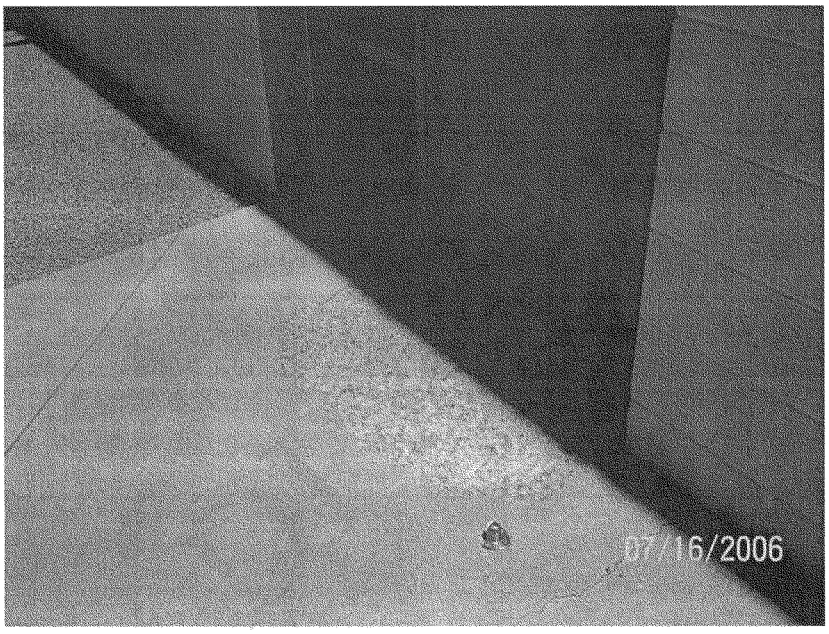


Rapid settling at another corner. Crack is caused by uneven settlement of the foundation



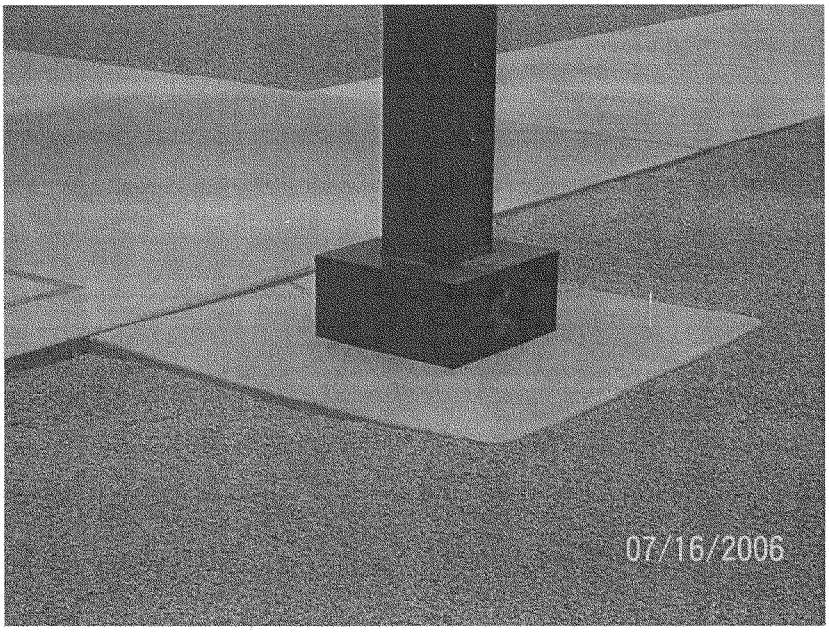
Building and the door has settled approximately 1 inch. Concrete is constantly scraped to allow opening of the door

All exterior doors have sunk, some faster than others

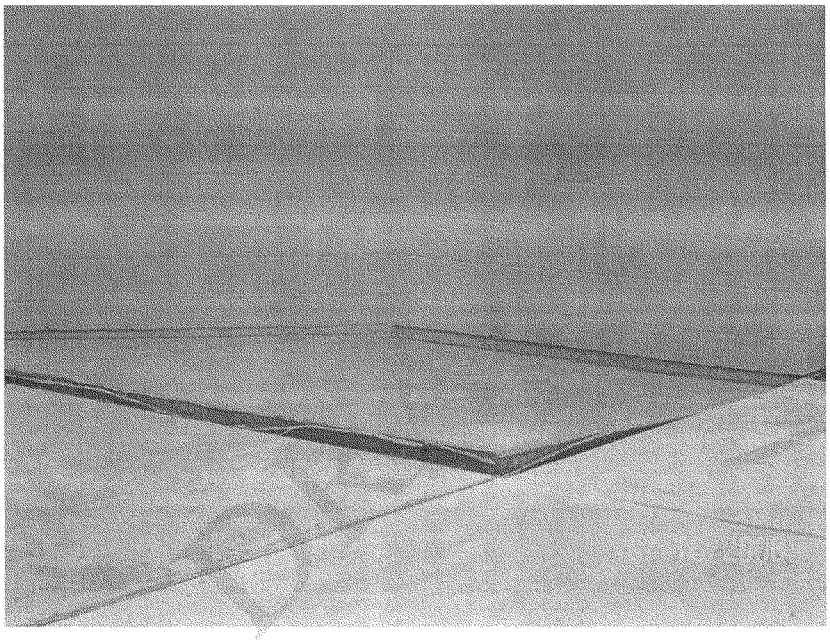


All exterior doors have sunk, some faster than others

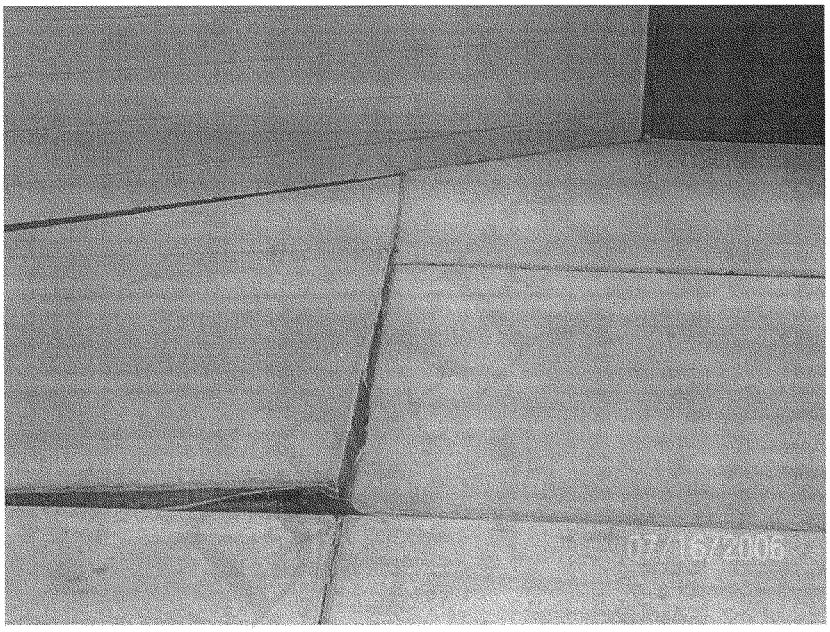
Concrete footing at the base of this outdoor light fixture – that has a vertical weight of about 300 pounds, has settled about 1 inch



Close-up of the picture on the previous page. Compare the left edge to the right edge of the base for this light fixture



The weight of the building has settled it, leaving the connected but adjacent slab to lift about 4 inches

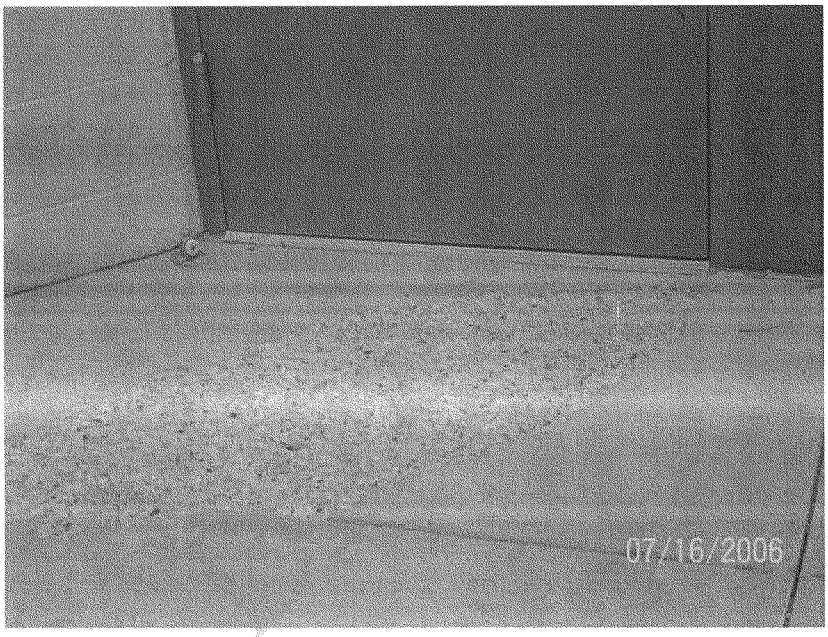


This 4 inch uplift of the slab has occurred in less than 3 years. The building is 7 years old.

Close-up of the picture above

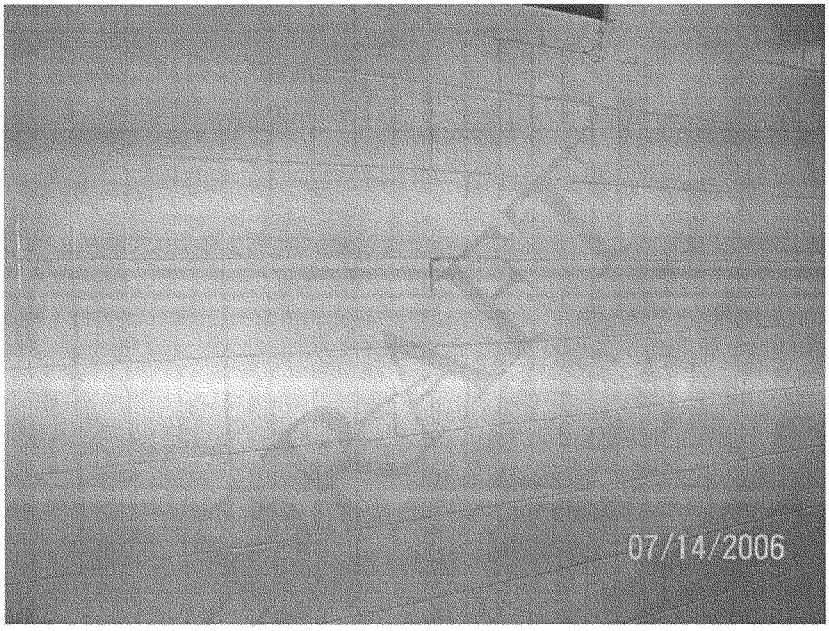
Collapsed soil along the weight-bearing edge of the building

Concrete scraped about 1 inch to allow opening of the exterior door

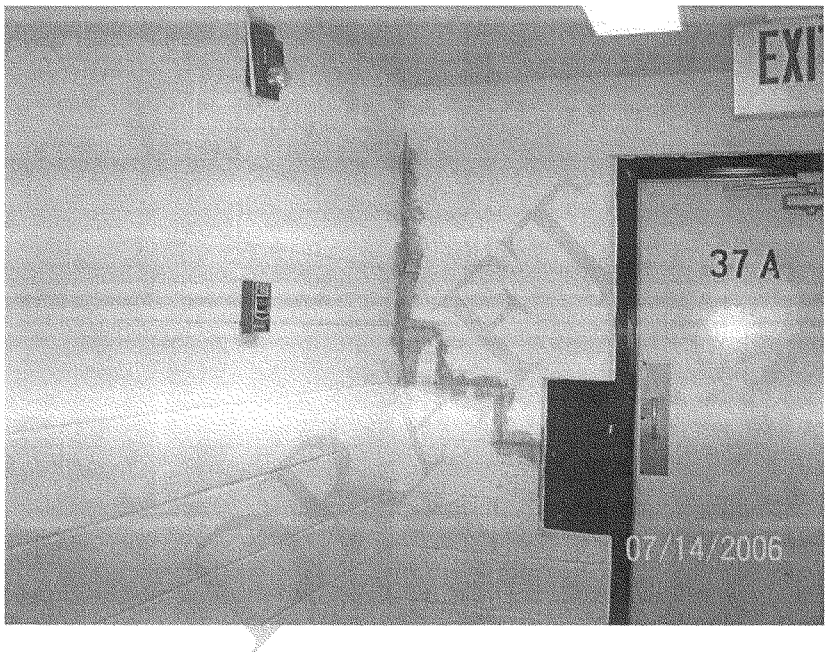


Another exterior door settling slower than others

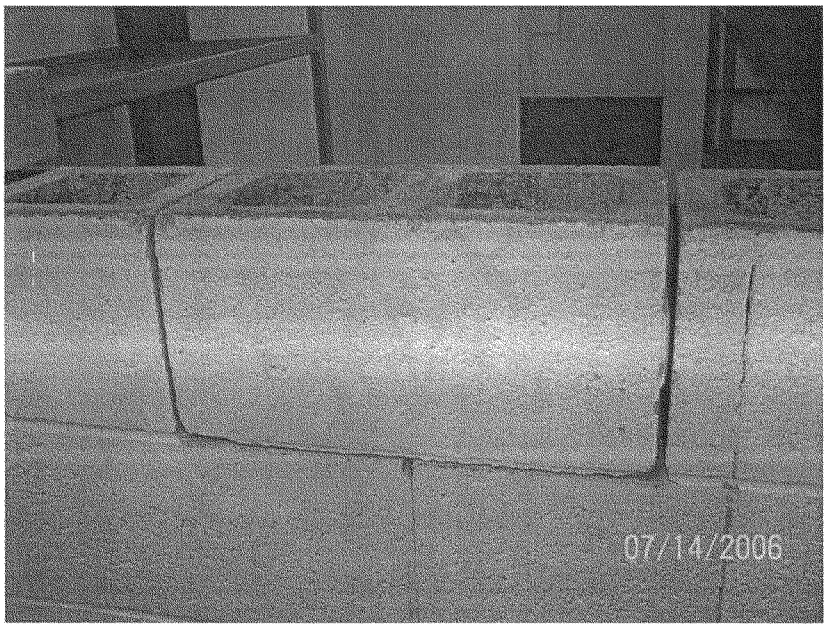
Stress cracks at 45 degree angle indicate settling of the foundation



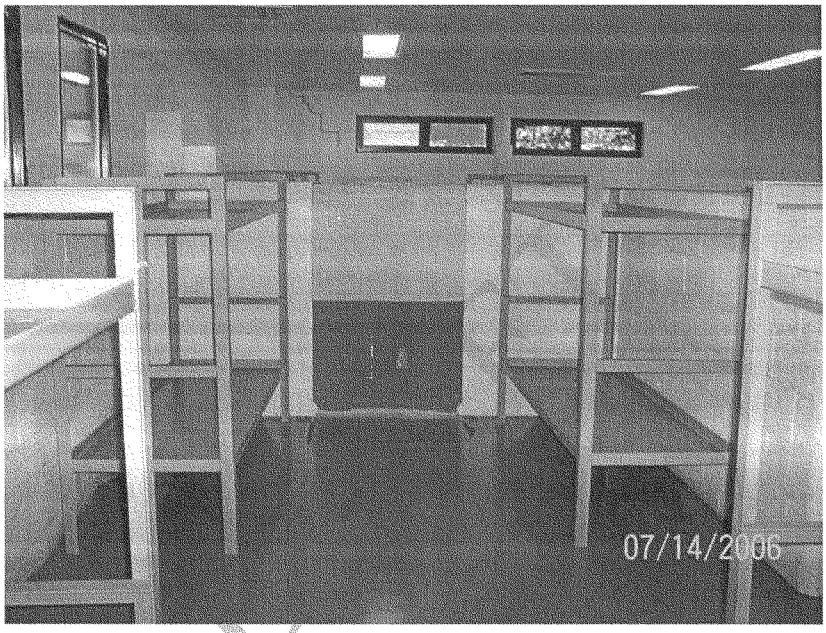
Close-up of the crack shown on previous page



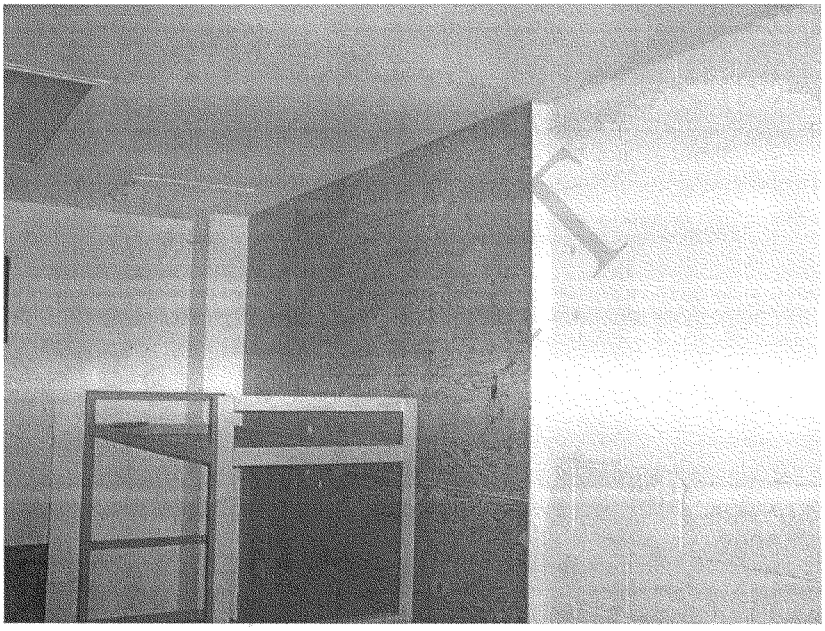
This temporary solution does not resolve the fundamental problem of a settling foundation



Partitioning walls at this facility have been compromised as a result of settling



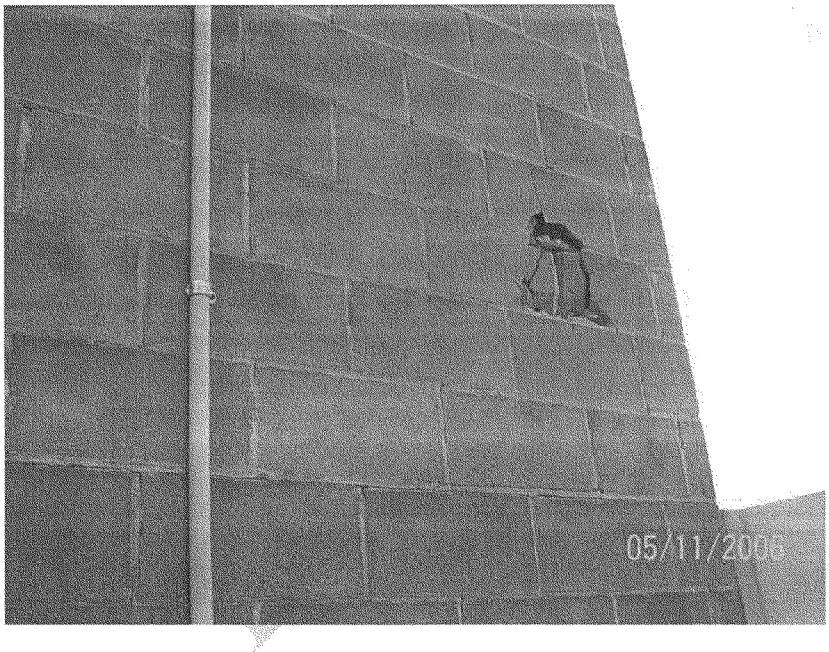
Inmates have used the settling as on the far exterior wall, to escape by scraping the mortar in the block wall, that remained after the crack opened



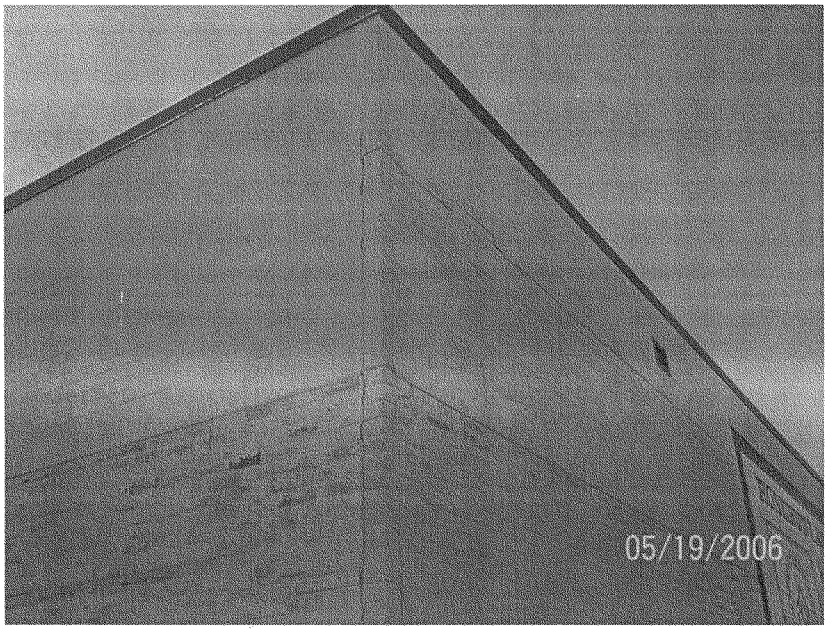
Covering up cracks with plywood does not resolve the fundamental problem

Bulging exterior wall

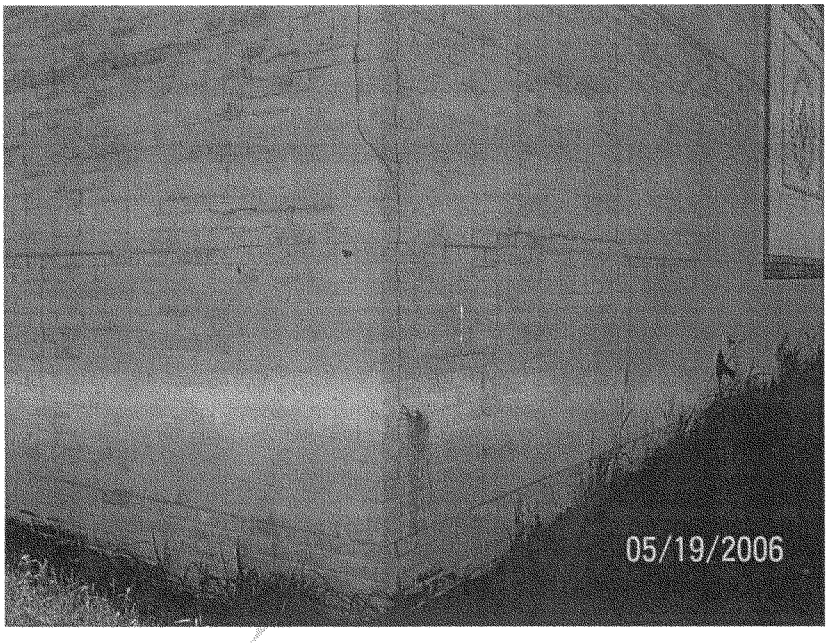
Plywood repair from an escape in the past



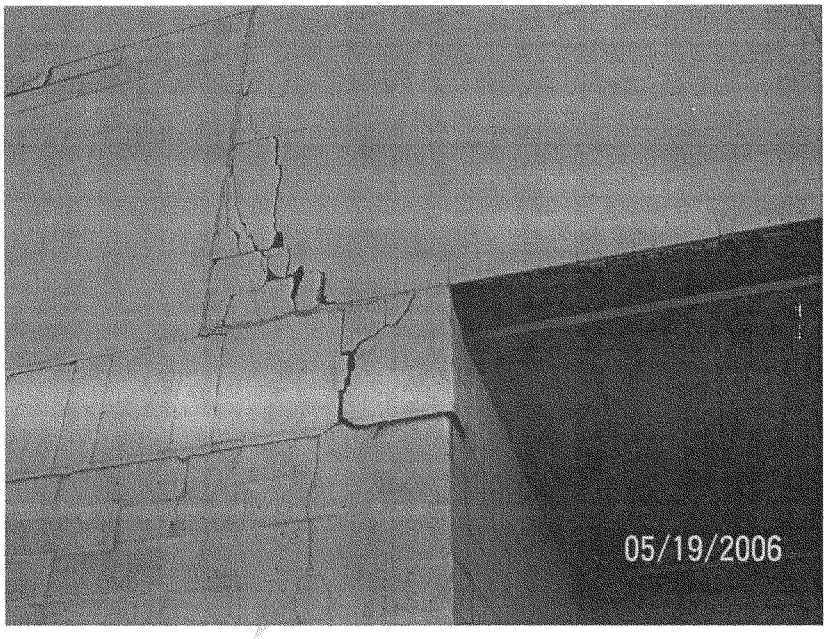
Exterior wall damage



Stress on the walls resulting from settling foundation

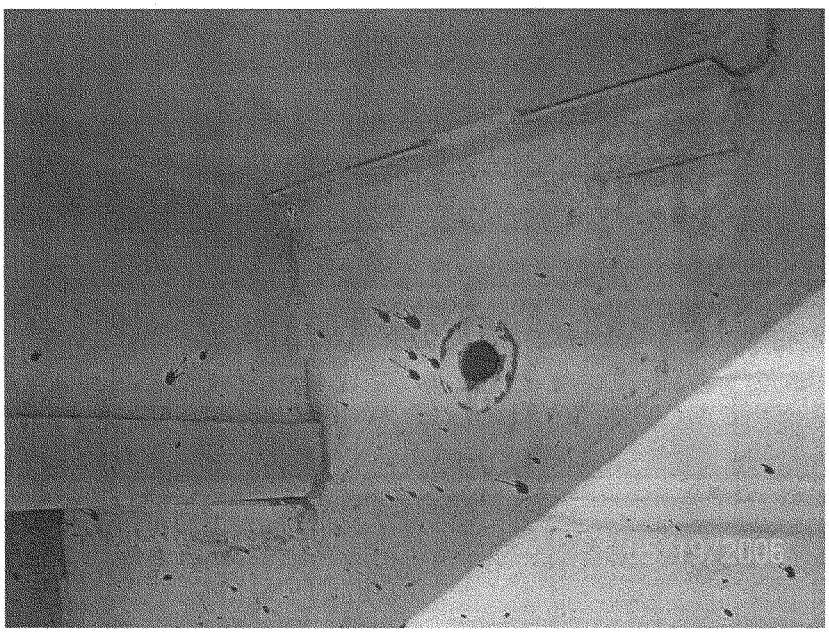


Stress on the walls resulting from settling foundation



Stress on the walls resulting from settling foundation

Soil collapsed along the weight bearing edge of the wall

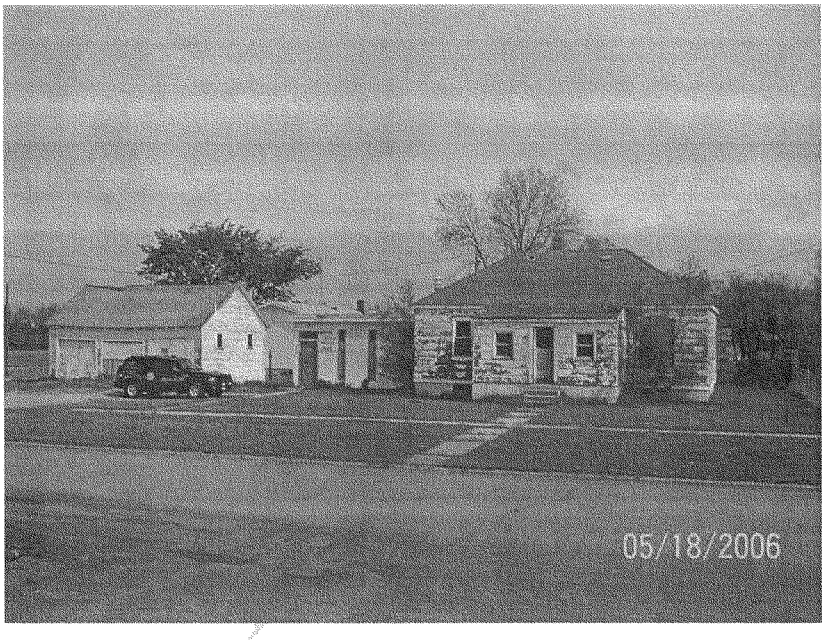


Unanchored stairwell with missing bolt and washer

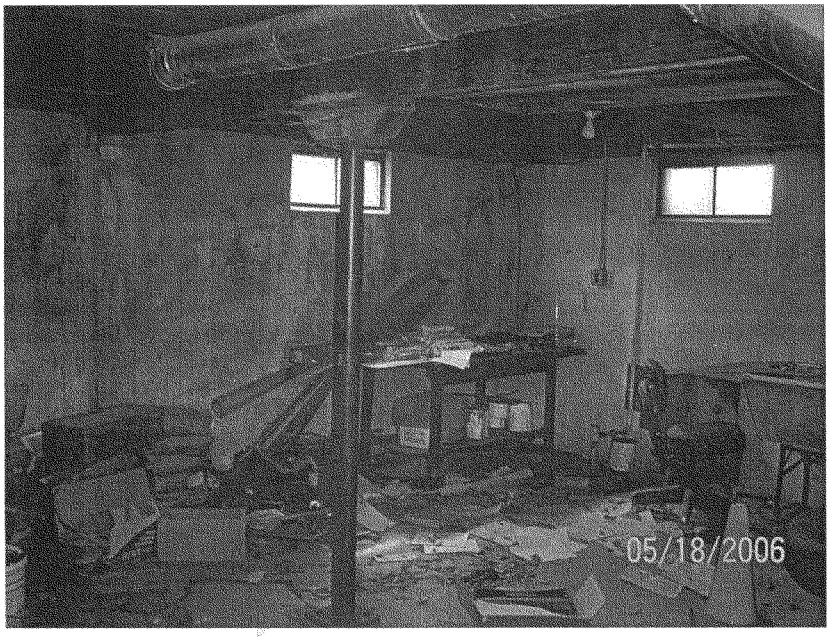
902

Facility Structure Challenges

Building on left is used for evidence storage, the center building attachment is an operational Law Enforcement Substation with three cells, and the building to the right is the abandoned building that was used by the Bureau of Land Management

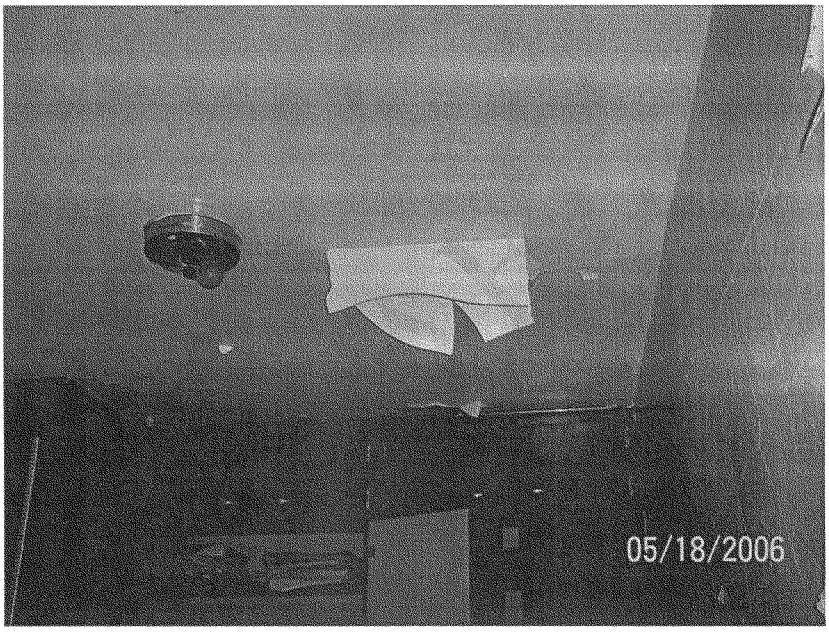


An overview of the evidence storage garage, law enforcement substation and the Bureau of Land Management building



Remains of the basement of the abandoned building

The front door cannot close since the door jamb skewed resulting from the settling foundation.



Peeling paint at the ceiling

17 -Water Quality Challenges

Quality of potable water is a challenge. Most locations depend on wells that produce hard water with high salt content. Staff uses deteriorating salt-encrusted-low pressure or no-pressure, plumbing lines and fixtures to collect water in plastic containers. Drinking water is distributed to the inmates in recycled soda bottles and Styrofoam cups, both of which are a hazard for the safety and security of the officers and inmates.

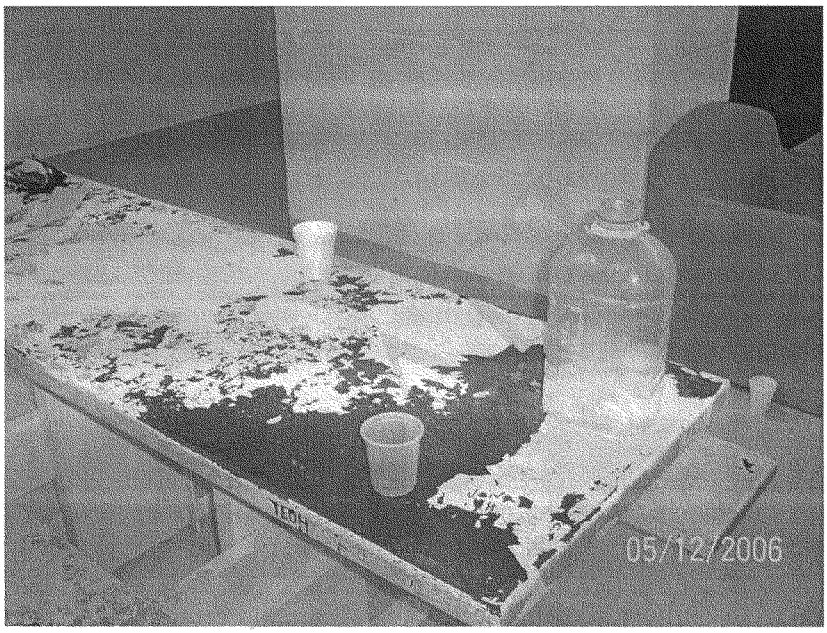
DRAFT

Staff filling water bottle for inmates' drinking water – from the janitors mop sink

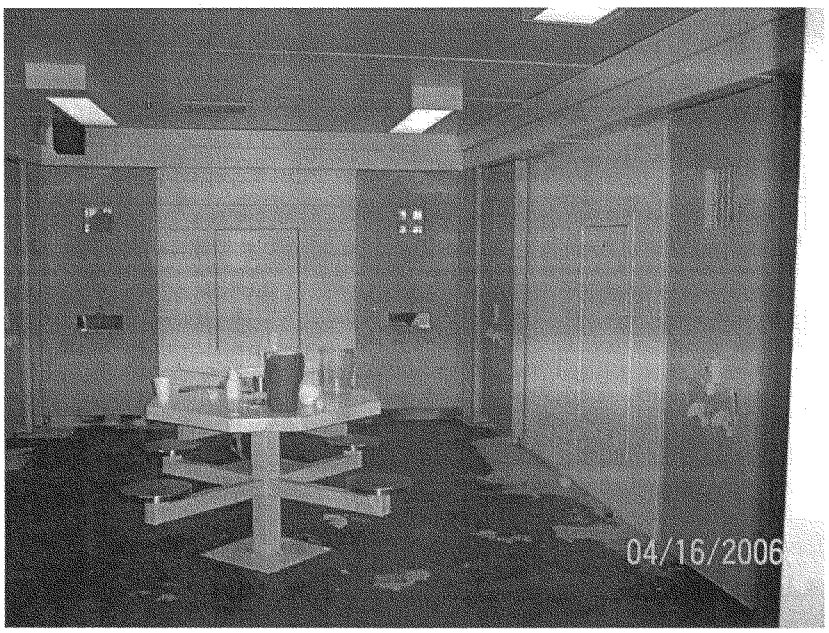
Plastic water bottles in the cells

Styrofoam cups and soda bottles

Drinking water supply in the cells



Drinking water supply in the cells

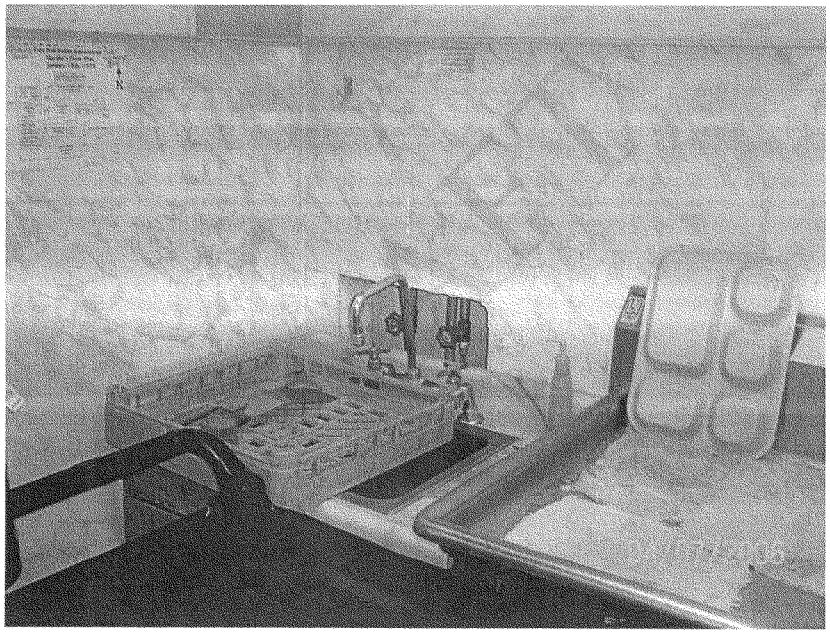


Drinking water supply for the inmates

DRAFT

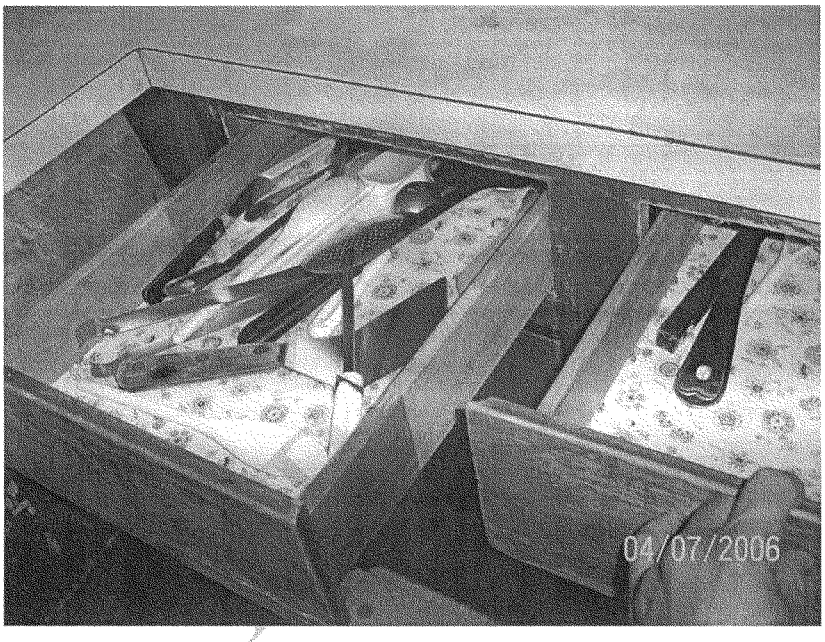
18 - Weapons in Kitchen and Interiors

Ordinary kitchen utensils and implements take on a different role in a prison environment. Without appropriate security, control, and accountability, such items become deadly weapons jeopardizing the safety and security of officers and inmates. The pictures were taken at multiple facilities during routine working hours.

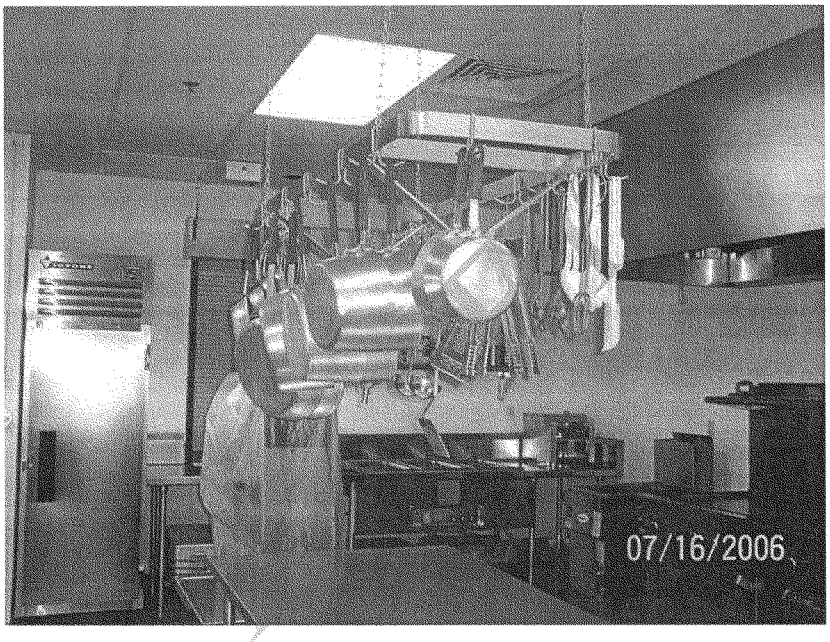


Chopper in the dish pan

Each implement in the unlocked drawer is a potential weapon

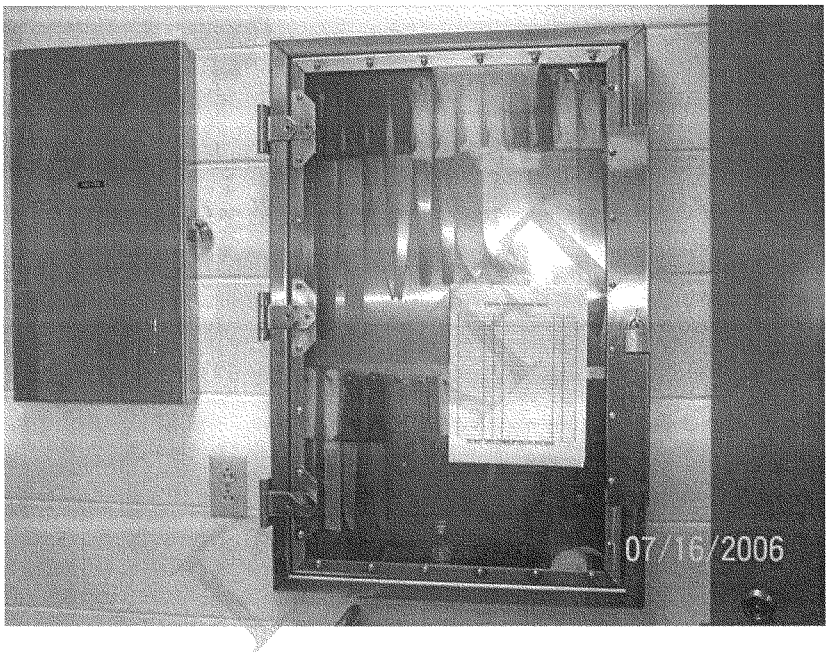


Potential weapons in unlocked drawers

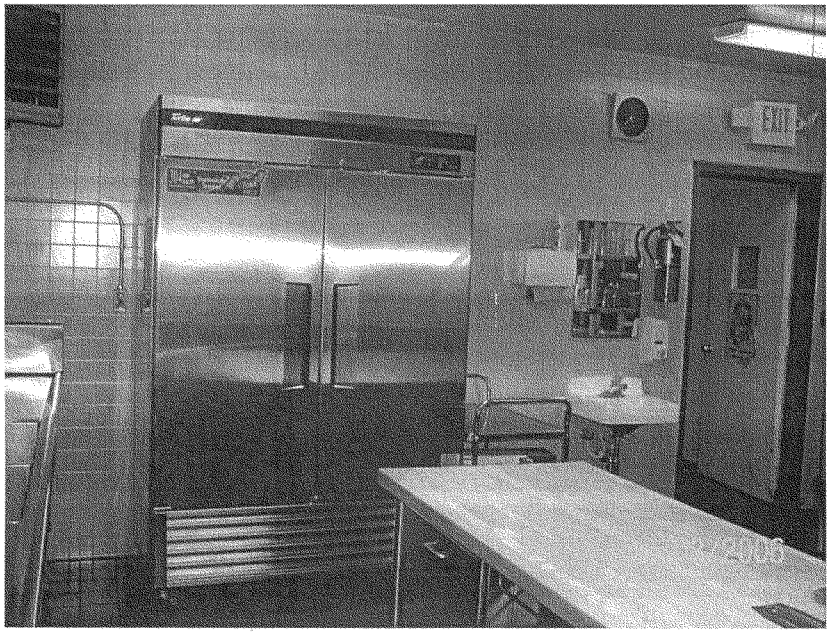


Potential weapons

Potential weapons

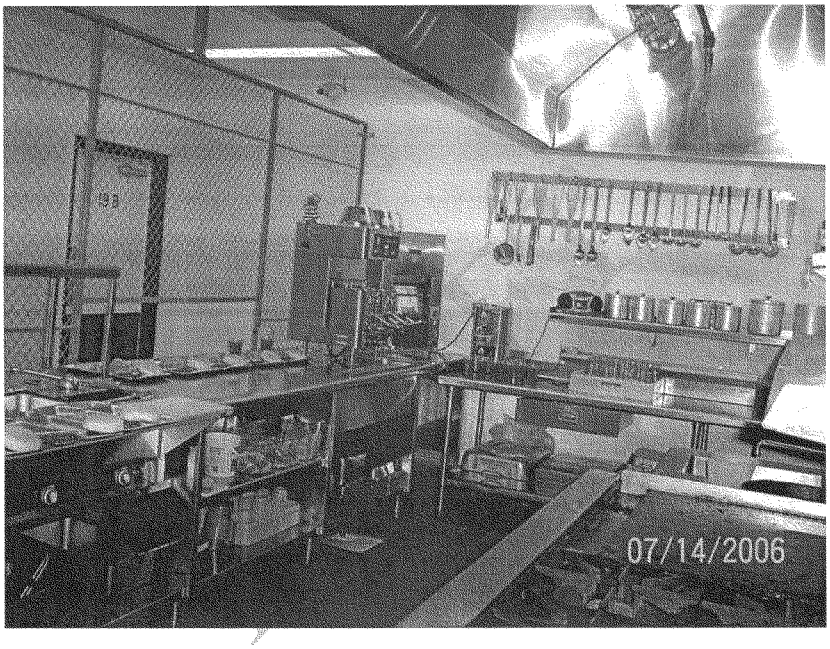


The locked knife cabinet with a check-in, check-out provides some security. However there were no entries on the log for it was affixed just prior to the visit.

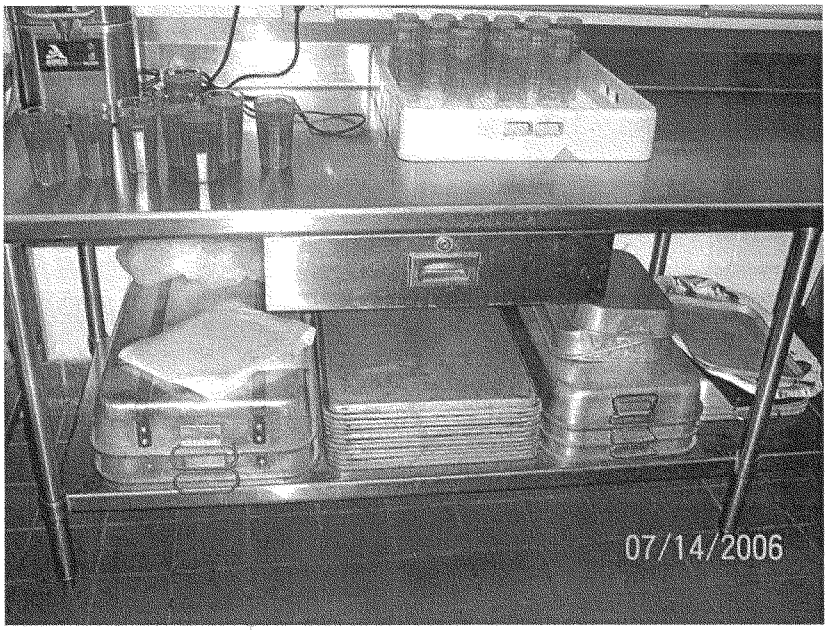


Innocent looking drawer at the prep table

Contents of the drawer – potential weapons



An array of weapons on the wall



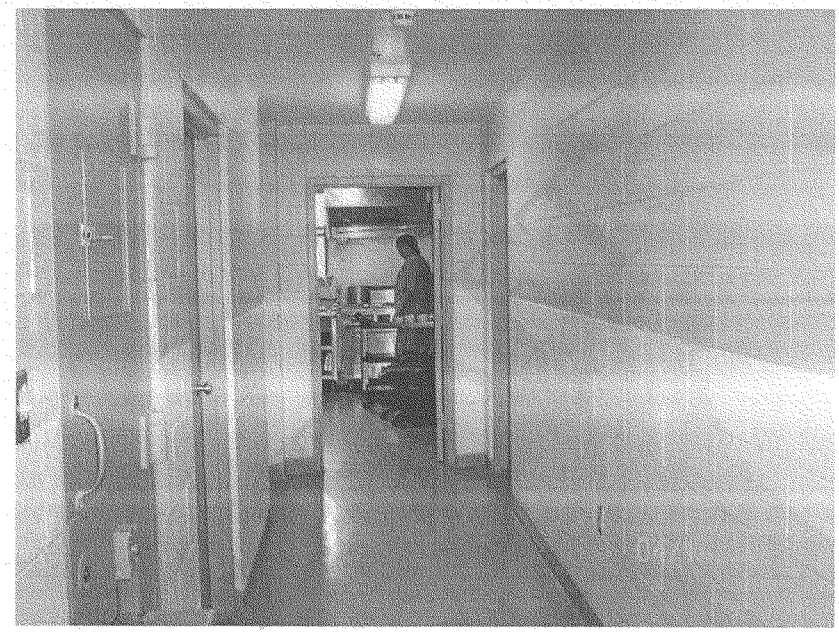
An innocent looking drawer, until it is opened – in the next picture

Potential weapons in the unlocked drawer

Contents of other drawers

Knives secured in a locked cabinet

A piece of wood that may be used as a shower curtain rod or a club

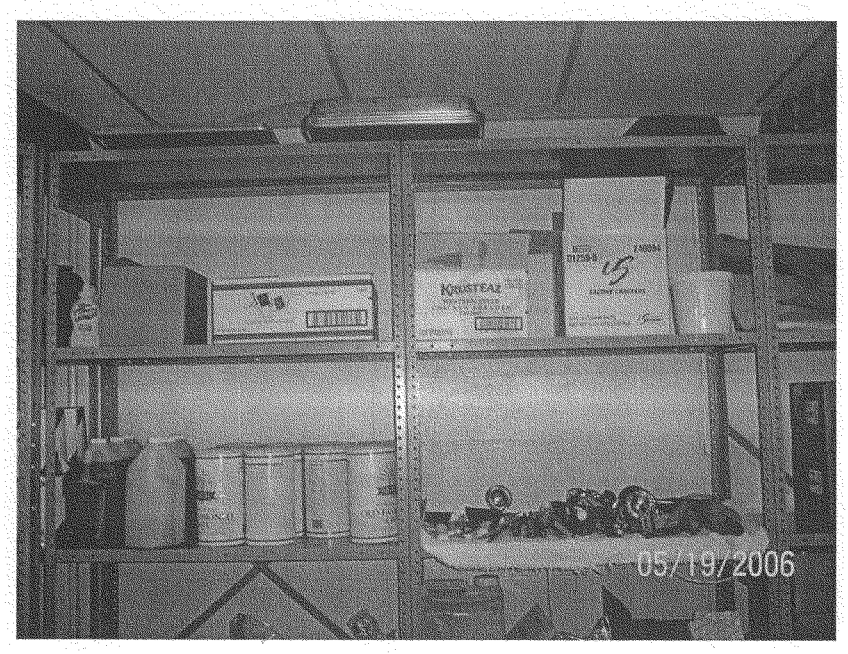


'Trustees' at work in the kitchen

Contents of unlocked drawers in the same kitchen as above

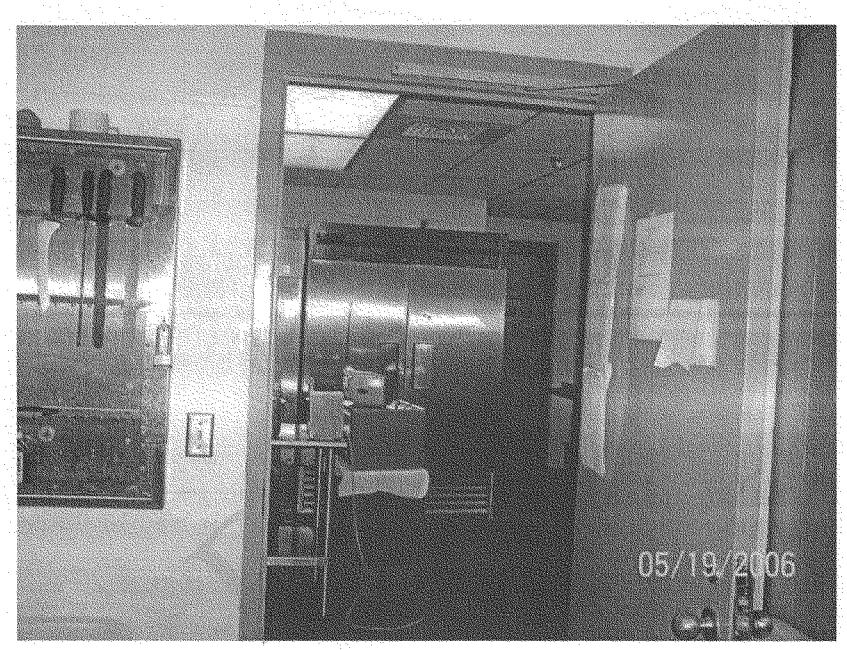
Contents of drawers in the same kitchen as pictured on the previous page

Contents of drawers in the same kitchen as pictured on the previous page

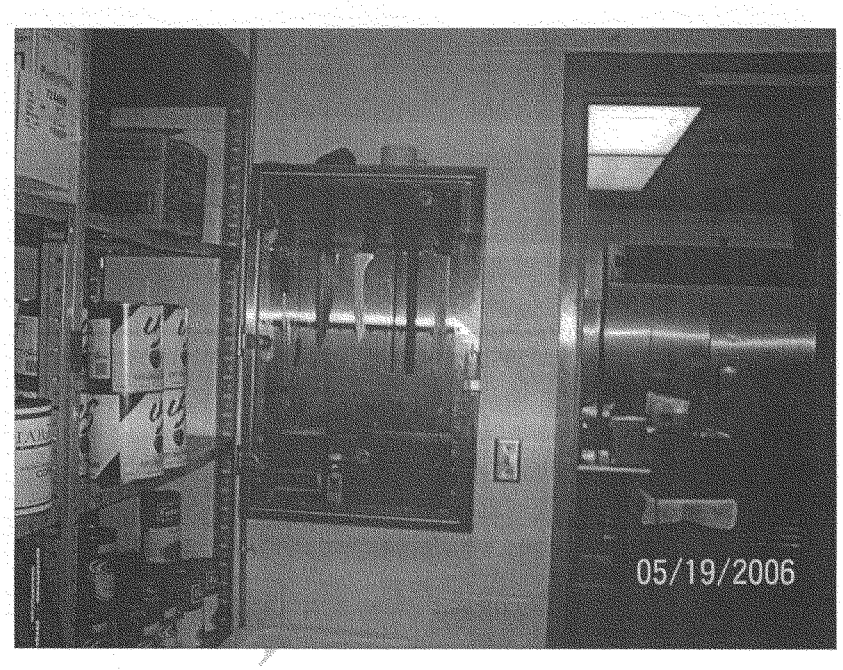


Potential weapons in the kitchen pantry

Close-up of the potential weapons in the kitchen pantry

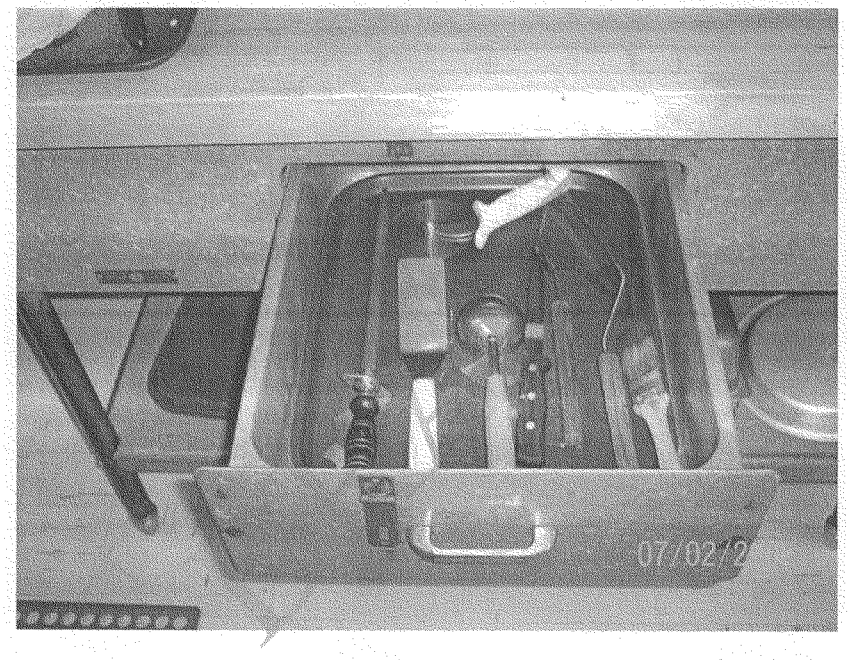


Same pantry with a locked knife cabinet



Close-up of the same pantry and knife cabinet

Potential weapons display

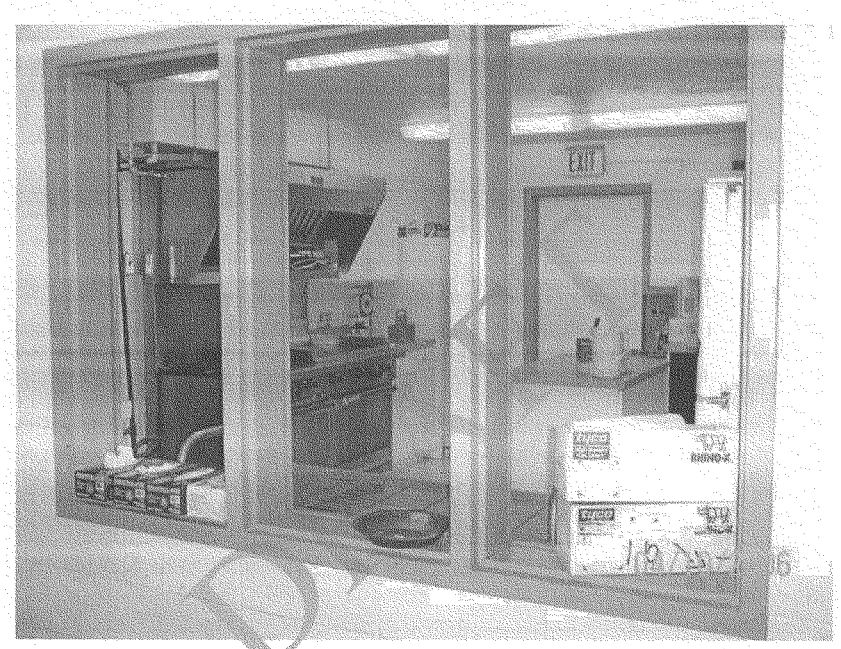


Illusion of security – sharp objects in a drawer with a lockable hasp – see the next picture for the lock used to secure this drawer

Security lock on the countertop used to lock the drawer – see contents of drawer in the previous picture

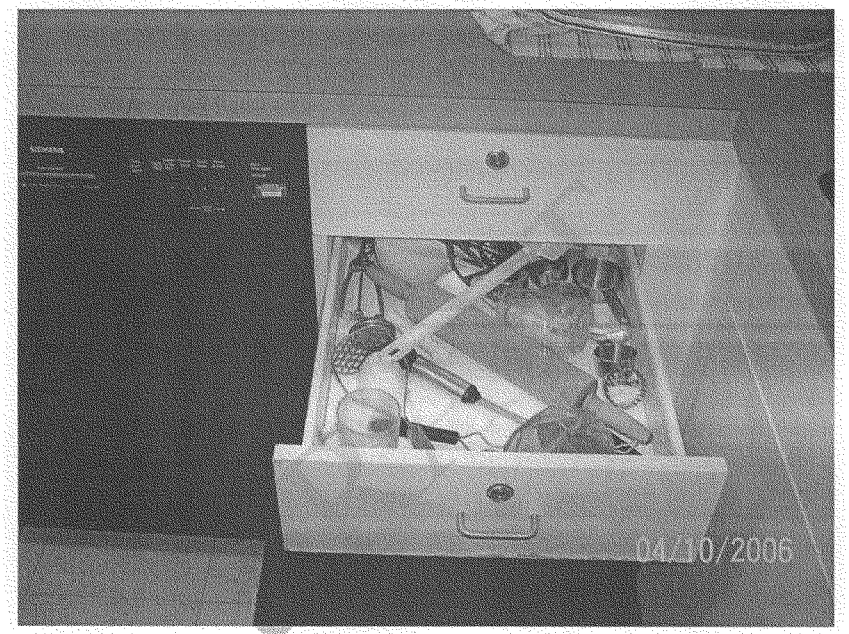
Close-up of the security lock – not much wider than the thumb

Steel angle iron from a broken bunk found in the male dormitory

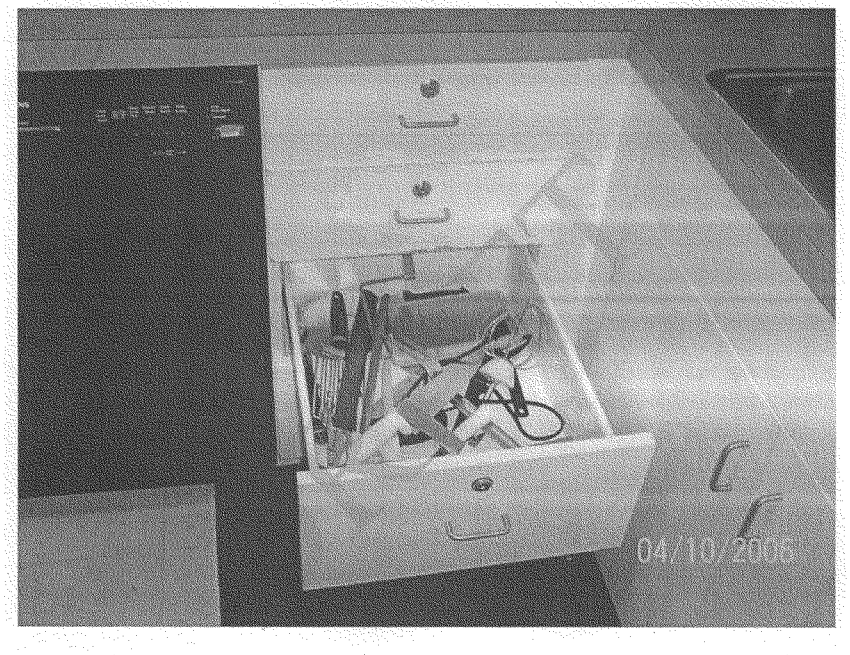


Free inmate access to the kitchen through the window with no window panes. Picture is taken from the common corridor used by inmates.

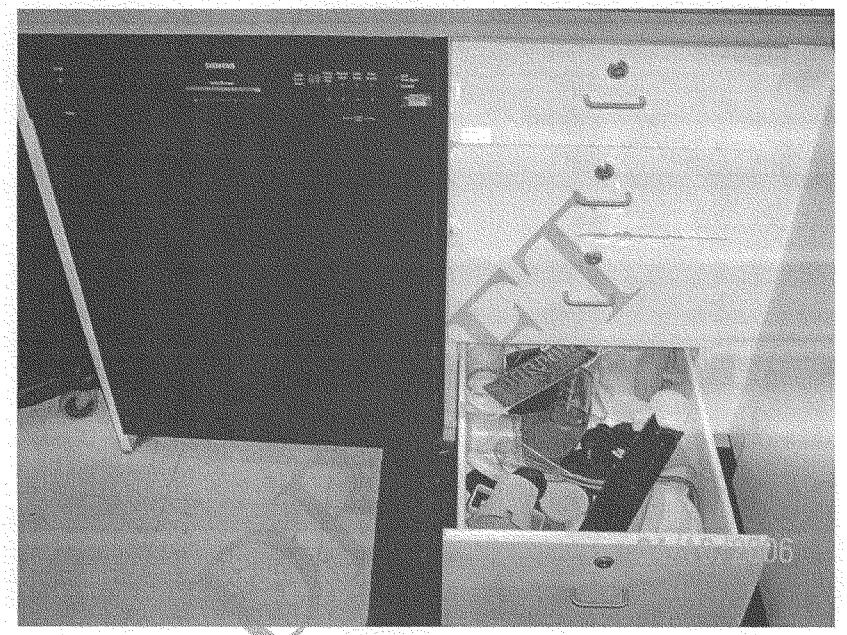
However, the kitchen is accessible through the door as well – since it cannot be secured



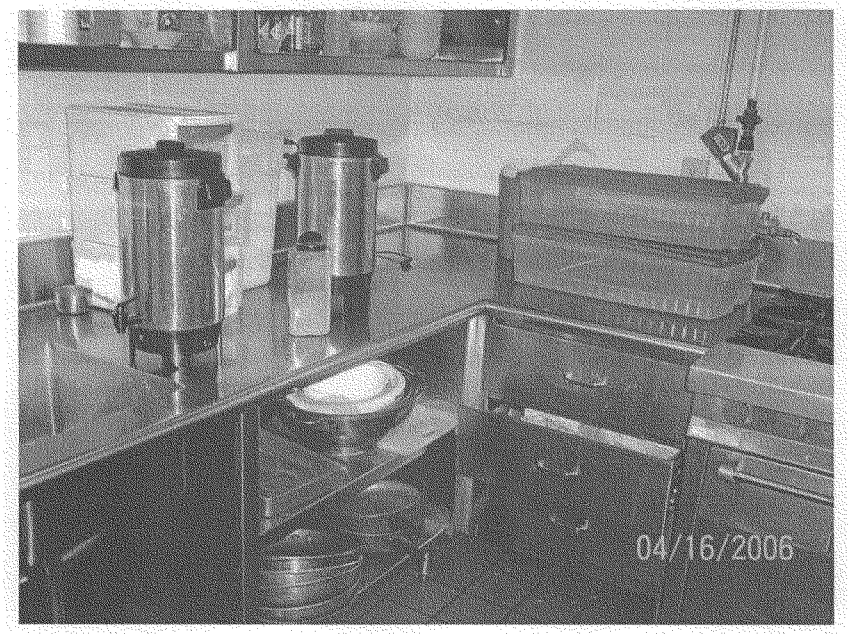
Potential weapons in the kitchen that is accessible through the window or the door as in the two previous pictures



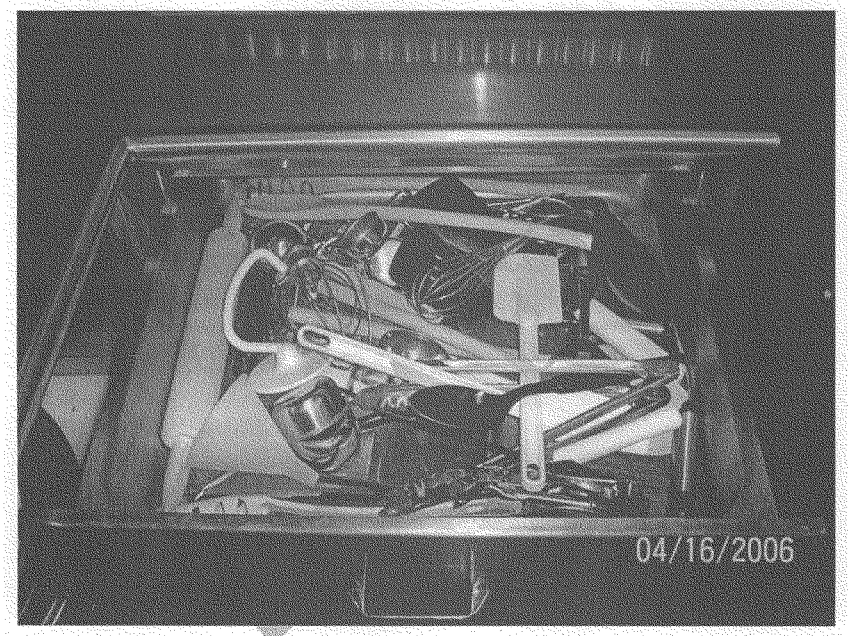
More potential weapons in the drawer below



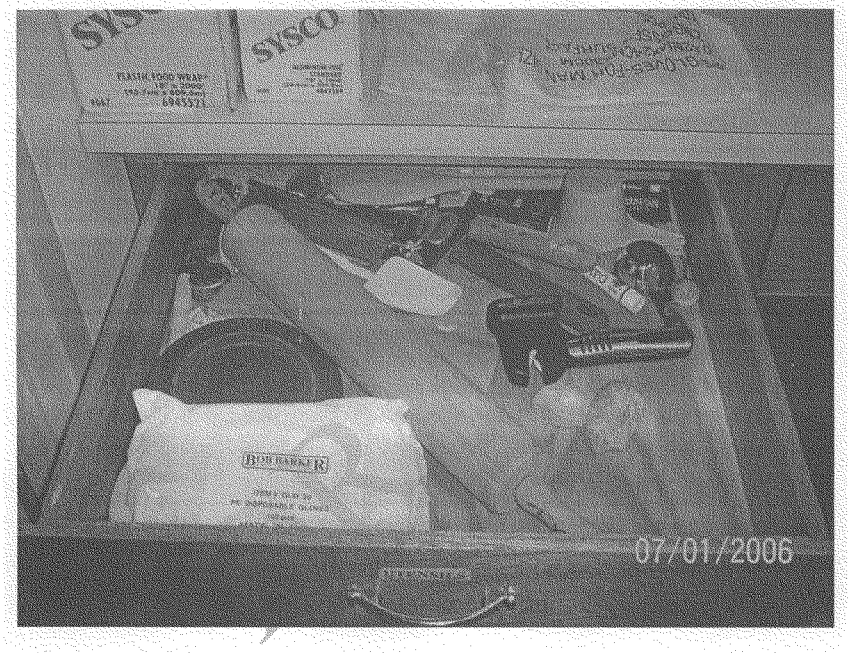
More potential weapons in the drawer below



Innocent looking drawers in a kitchen

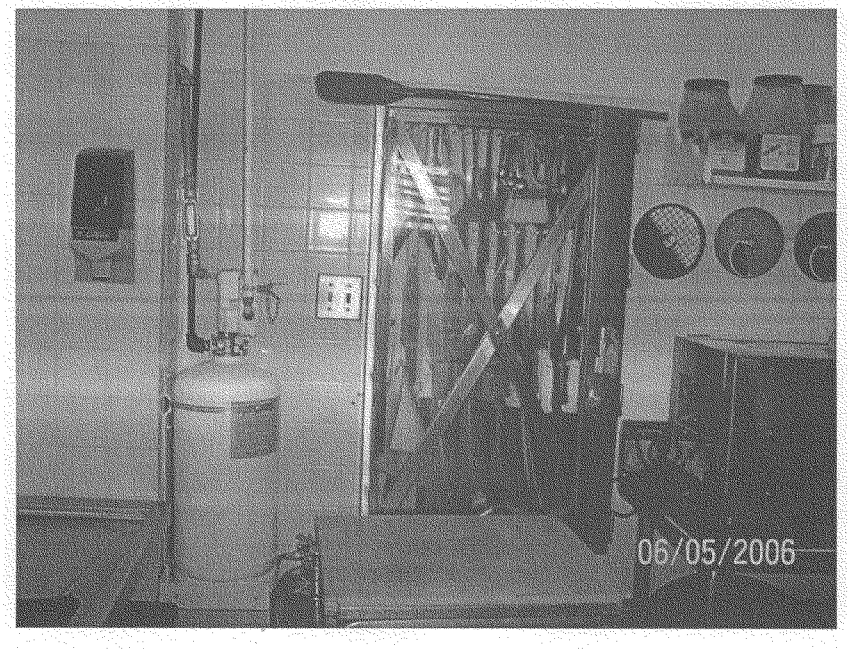


Potential weapons in the drawer



Contents of another kitchen drawer

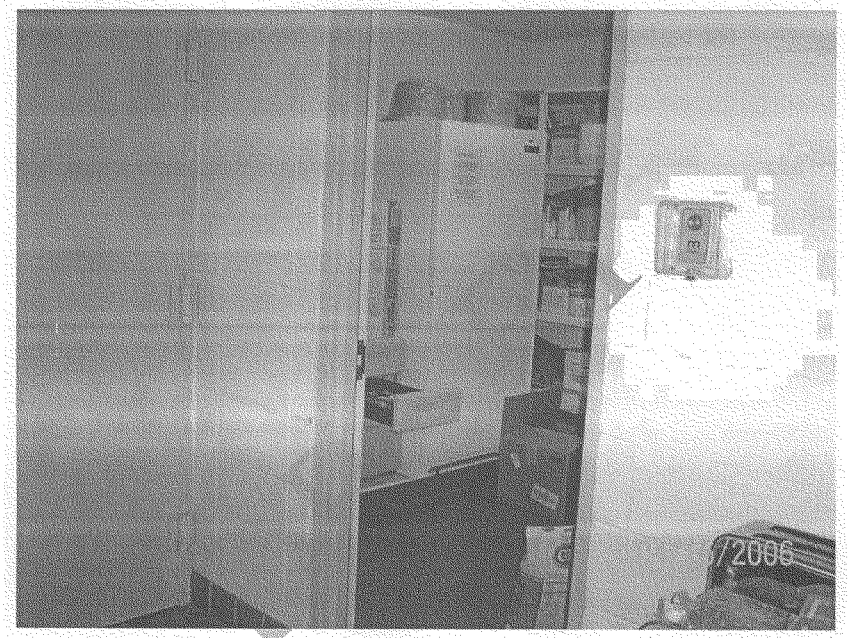
Potential weapons in a kitchen drawer



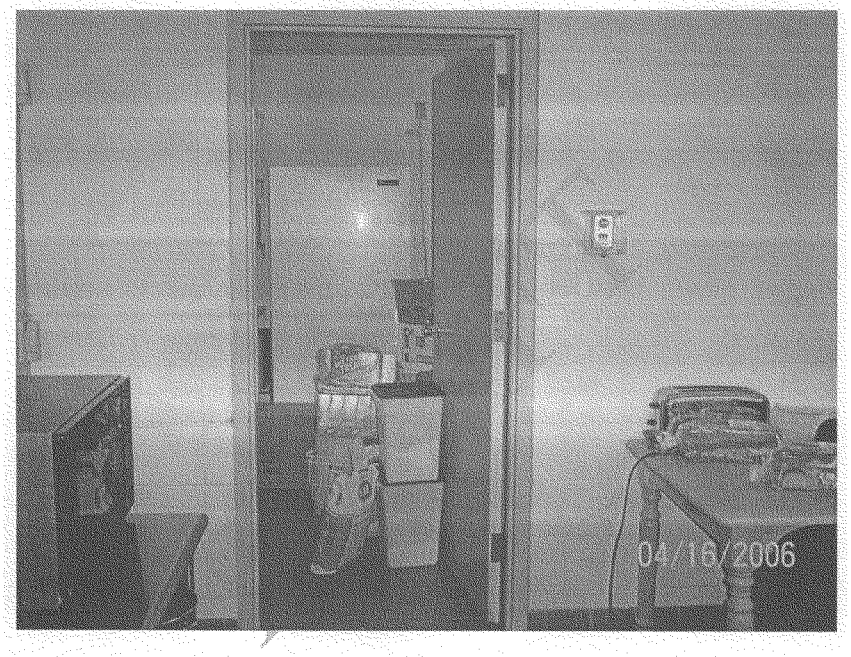
Knives in a locked cabinet

Potential weapon left hanging

And other potential weapons left in the unlocked drawer



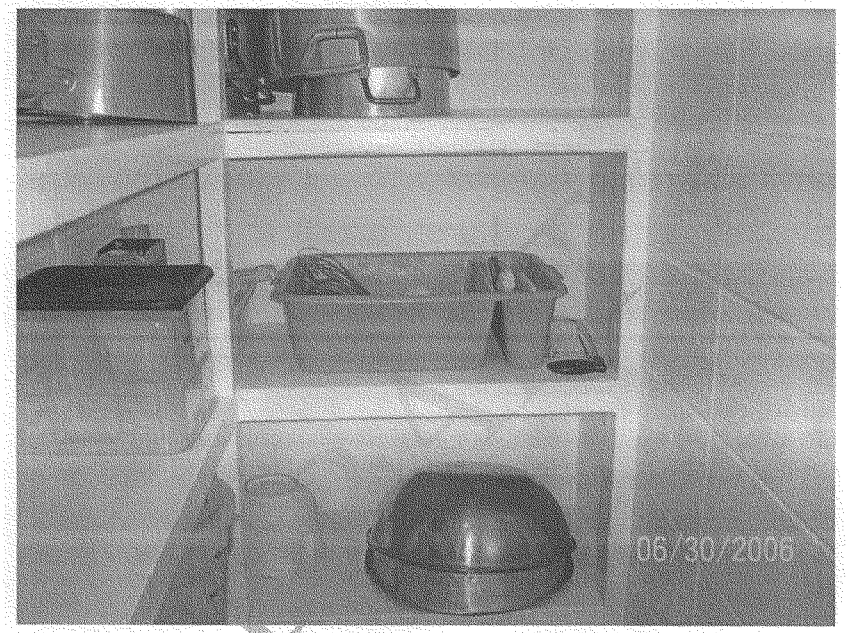
Illusion of a secured drawer with sharp objects, located in a pantry. The contents of the drawer are noted in a later picture.



However the pantry door is propped open with bins of flour and a sack of sugar

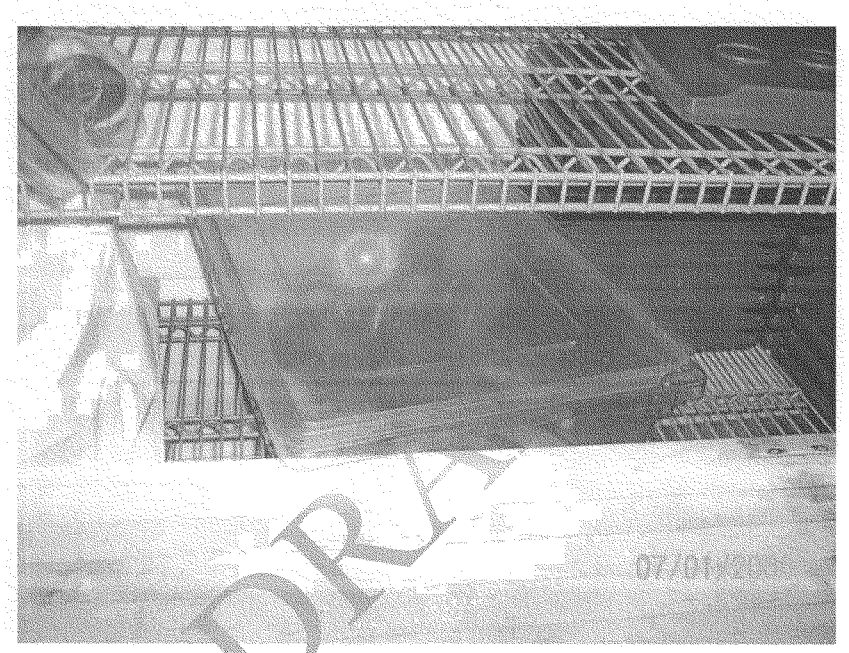
The sacks had been there for a while to keep the pantry door propped open

Illusion of security with potential weapons in the drawer located in the pantry

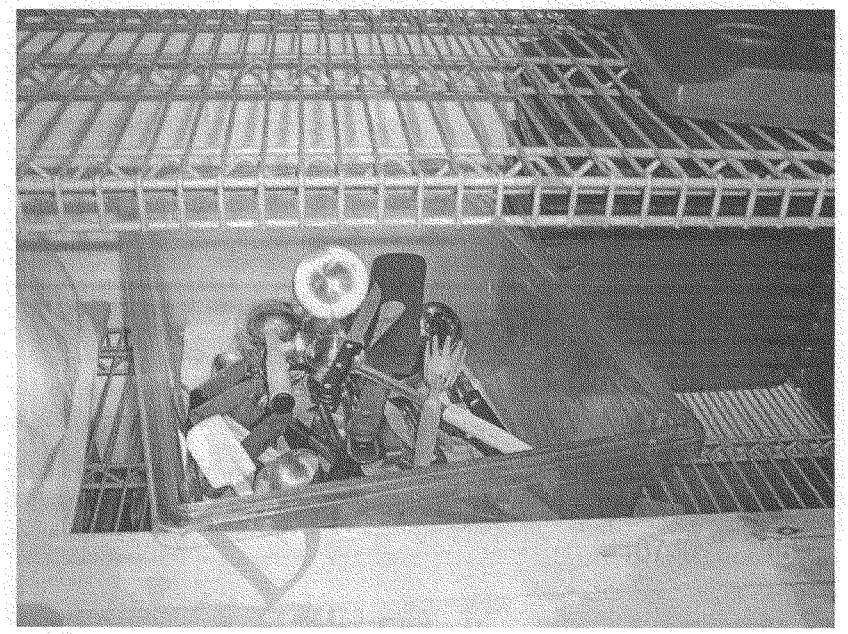


A hack saw for cutting frozen meat and plastic dish washing tub secured in a pantry

Close-up of the contents of the plastic washtub



However another plastic tub was left in the kitchen, outside the secured pantry – found about 4:30 am next morning. Instructions were given to the cook the previous evening to assure that this tub was also secured in the pantry before she leaves for the night.



Early morning review indicated that the tub was left out all night. Contents of the potential weapons in the tub are as deadly as the one secured in the pantry.

But the pantry was secured for the night with a lock – as instructed

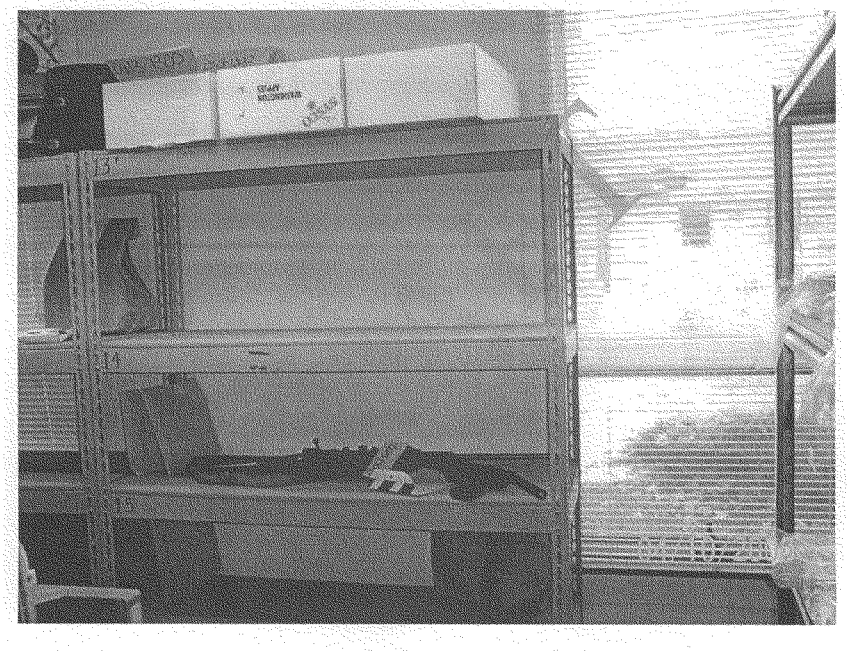
DRAFT

19 - Weapons in Storage

Lack of appropriate armories provides an illusion of security as these weapons are stored behind two locked doors.

964

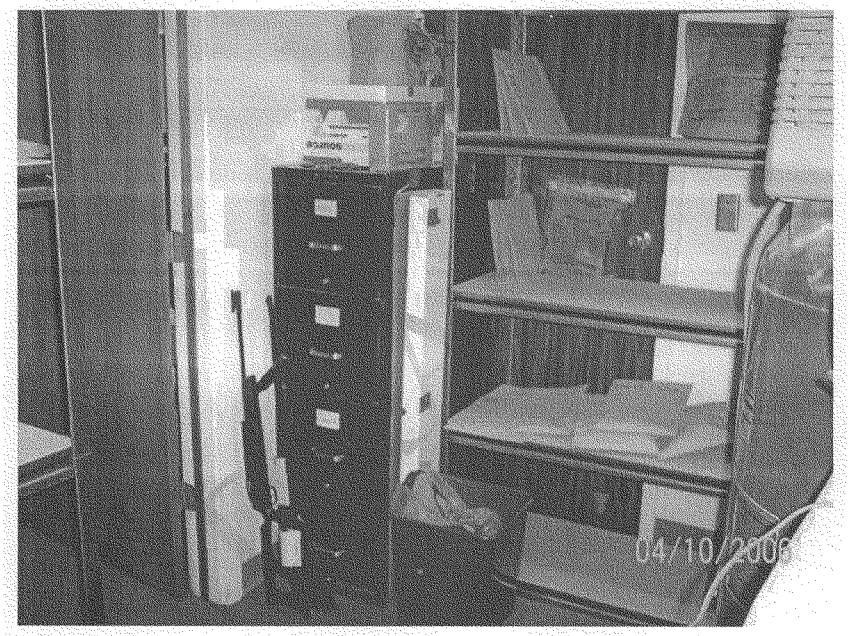
Weapons in Storage



These weapons are stored in this makeshift storage behind two locked doors if entered through the main entrance – except that this room is also accessible to the public with one blow to the glass window on the exterior wall

965

Weapons in Storage



Other items in the makeshift evidence storage that can be accessed through the window noted in the picture above.

DRAFT

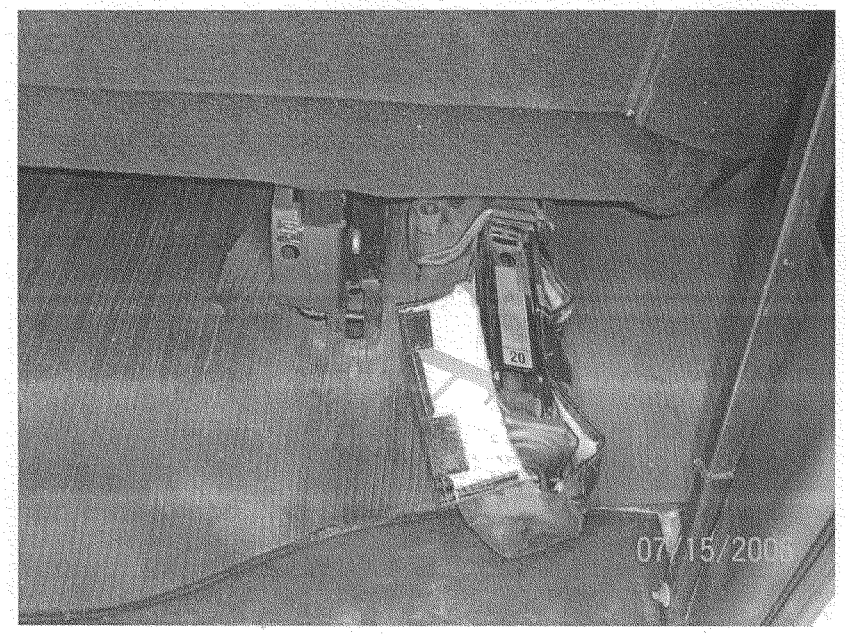
20 - Weapons in Transportation Vehicles

Vehicles used for the transportation of inmates may inadvertently carry items, accessible to the inmates – which may become a potential weapon and used against the lone officer transporting the inmates.

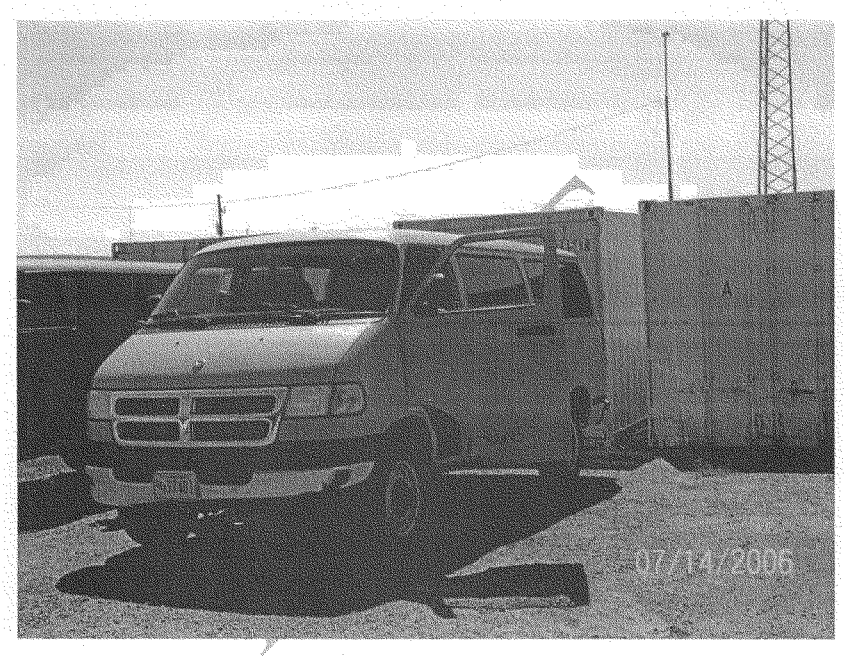
Older method of providing a metal security screen around the space occupied by the inmates

The locking safety pin with the red handle and the vehicle jack are accessible to the inmates on the back seat.

Close-up of the safety pin, with the red handle. The red handle provides a grip and the end of the pin is ground to a sharp point making it a deadly weapon.

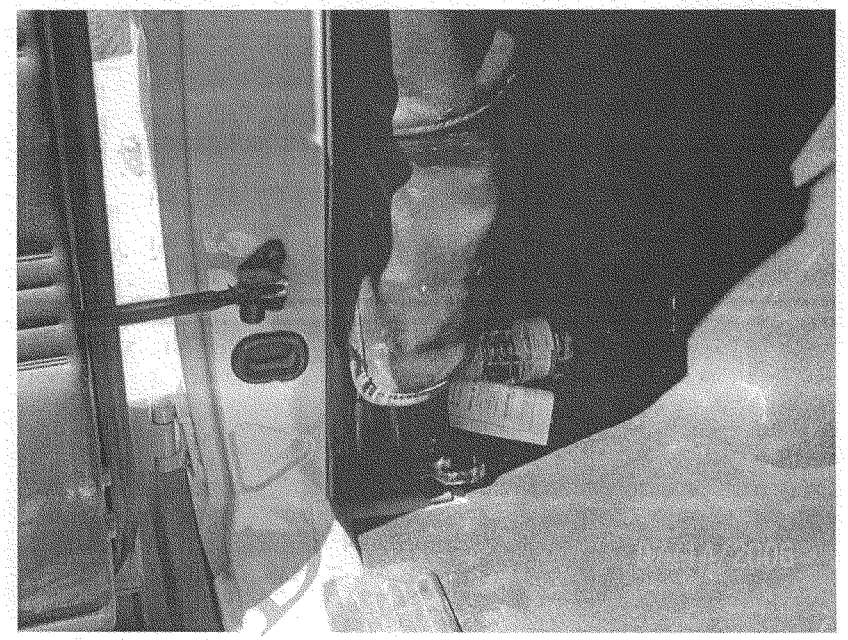


Other emergency tools that are accessible and could serve as potential weapons



A transportation van at a different facility that is used to transport inmates

There are no barriers between the inmates and the officer

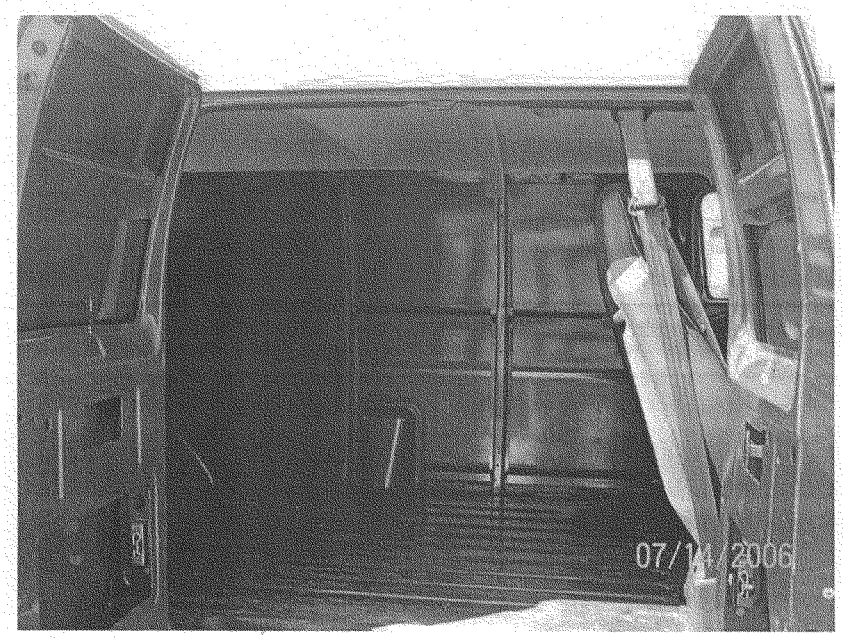


Emergency tool kit behind the backseat that is accessible to the inmates

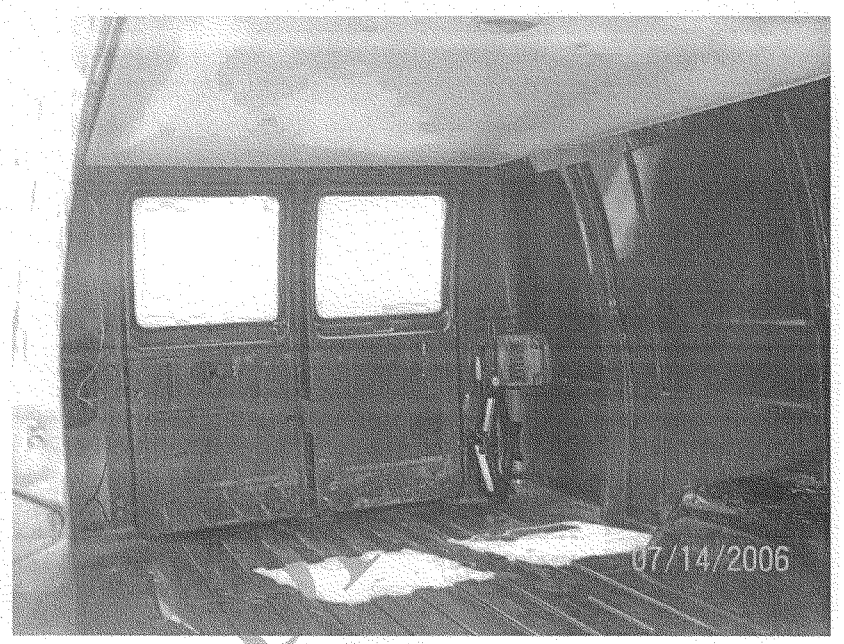
Contents of the tool kit include the lug-nut wrench and the vehicle jack both of which are deadly weapons

Close-up of the lug-nut wrench indicating the flat head screw driver used to remove hubcaps, but a deadly weapon as well

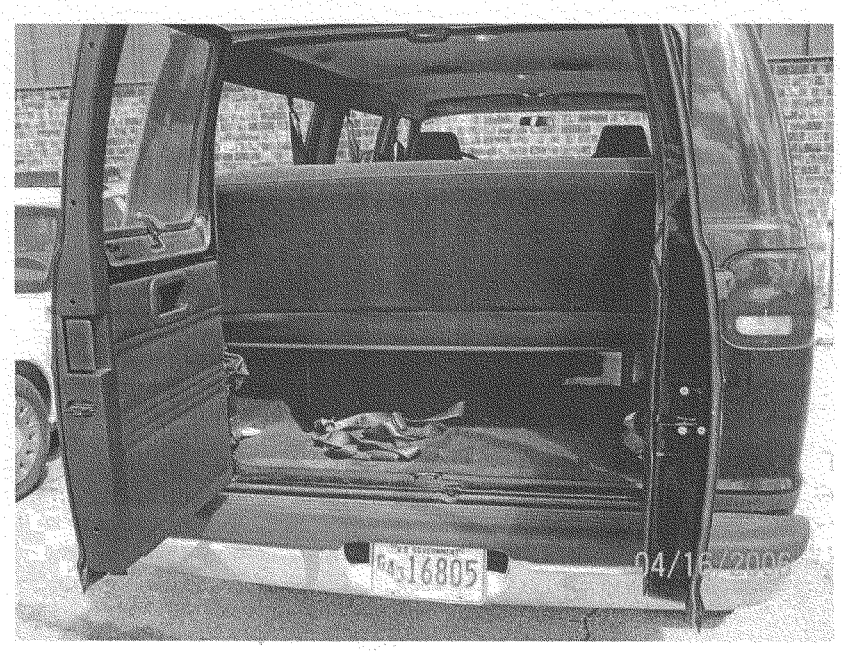
Two lug-nut wrenches were located in this transportation van



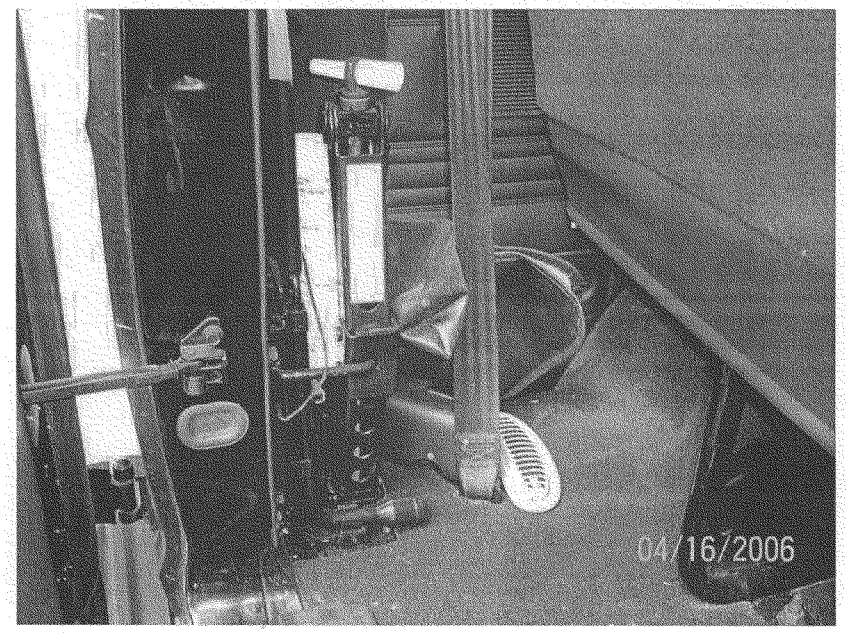
Another van accessible to inmates during transportation



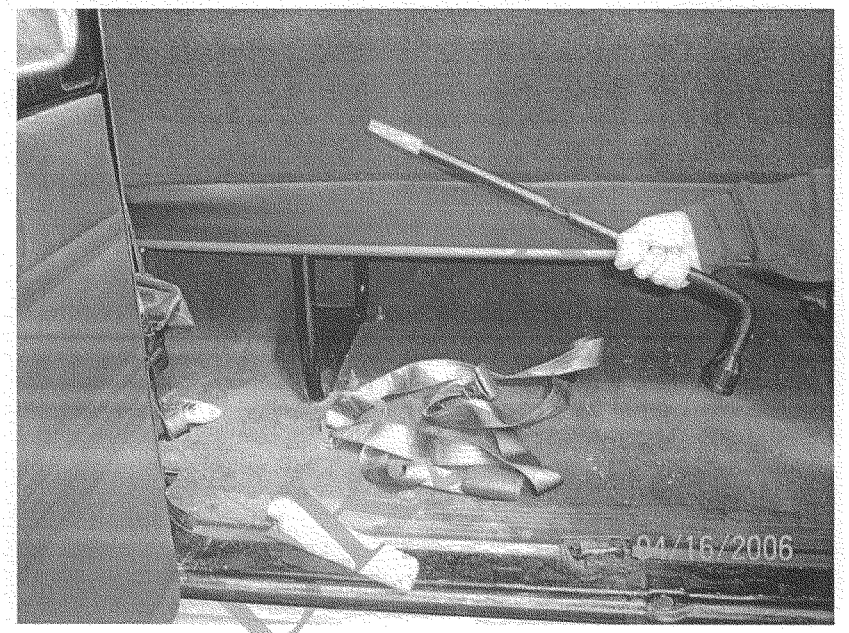
Access to an emergency tool kit and no barriers between the inmate and the officer



View of another transportation vehicle with no barriers between the inmates and the officer



Inmates on the back seat have access to the emergency tools including the lug-nut wrench in the foreground



Lug-nut wrench lifted without much difficulty, from behind the back seat

Weapons on site

DRAFT

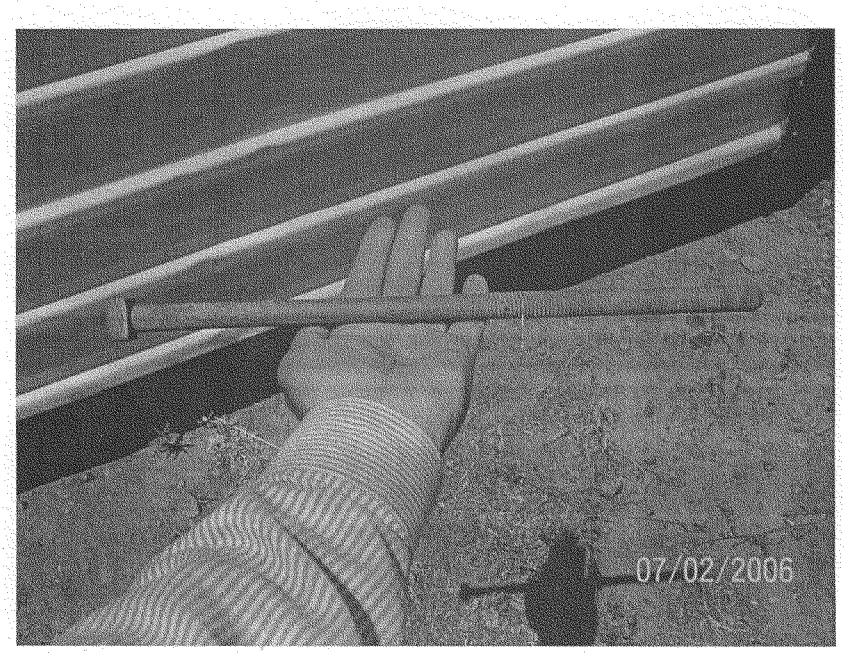
21 - Weapons On Site

Ordinary utilitarian items can become a potential weapon on a prison site

Weapons on site

A left-over anchor-bolt dropped when this storage trailer was installed

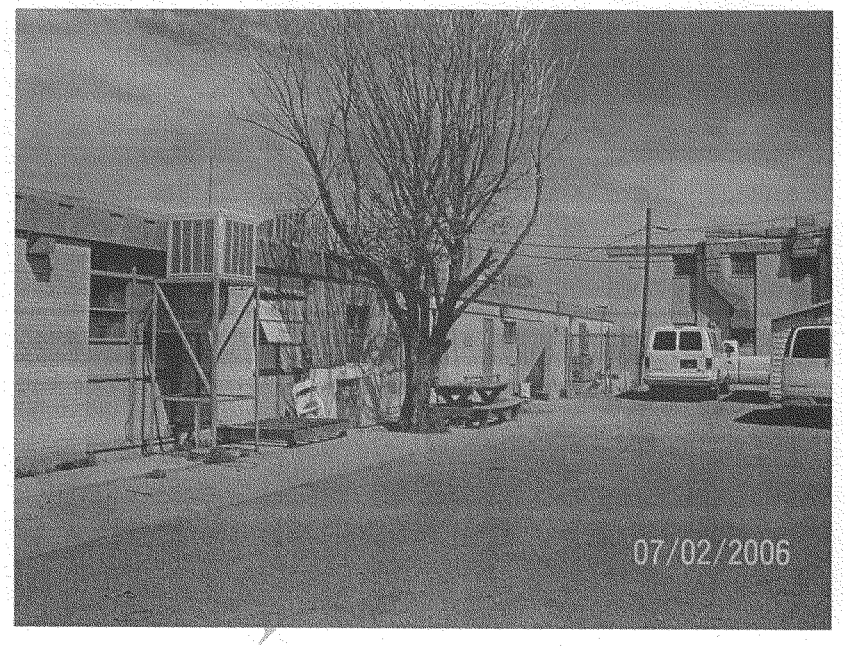
Weapons on site



Close-up of the anchor-bolt which could be used as a potential weapon

985

Weapons on site



An overview of the exterior of a detention facility. Note the object in yellow, beyond the picnic bench, but in front of the green generator.

Weapons on site

A piece of steel rod – potential weapon, but used here to work as an extension of the janitor mop squeegee

Appendix F

Decommissioning – Numerical Assessments

Contents of Appendices B, C, D and E are evaluated numerically for each site and prioritized with a progressive decommissioning matrix.

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

Each of the facility is color-coded for the three categories as follows: Beginning 2007 for the next ten years, the red colored facilities need to be decommissioned first. The yellow colored facilities need to be decommissioned thereafter. The green colored facilities may be held back for a final evaluation until the red and yellow colored facilities have been addressed. While the replacement facilities are built over the next ten years, all three categories need to stay functional with appropriate repairs and maintenance.

DRAFT

Review Categories		Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
Maximum Weighted Score		300	240	240	210	300	180	180	300	180	300	300	210	240	300	300	240	240	210	300	300	300	300	300	300	360	180	300	300	360	870	7650
Great Plains District	Nearby City	State																														
A White Shield Law Enforcement	Garrison	N. Dakota	100	0	112	14	70	0	0	70	36	40	60	0	0	0	0	16	64	0	63	63	10	40	30	0	90	10	90	30	50	698	1130
B Kyle Law Enforcement Center	Kyle	S. Dakota	110	72	56	28	100	30	42	160	36	120	60	70	72	100	40	48	48	105	20	40	70	100	170	10	120	174	150	80	70	365	2301
C Loneman (Oglala)	Oglala	S. Dakota	110	48	252	35	50	0	0	150	48	28	60	0	0	0	0	16	48	0	0	0	0	40	0	0	70	72	10	0	80	133	909
D Porcupine Law Enforcement	Porcupine	S. Dakota	120	0	48	70	40	0	0	140	36	18	60	0	0	0	0	48	80	0	0	0	0	110	30	0	80	150	174	120	90	210	1011
E Wanbdee Law Enforcement	Wanbdee	S. Dakota	100	0	48	49	40	0	0	100	54	30	60	0	0	0	0	40	80	28	10	10	0	30	30	0	90	54	110	0	90	121	1162
F Rosebud Detention Center	Rosebud	S. Dakota	110	72	104	56	100	48	66	100	24	20	70	70	160	110	70	72	32	49	30	110	240	130	180	0	100	168	60	70	70	268	2491
G Fort Totten Detention Center	Spirit Lake	N. Dakota	100	32	48	42	80	54	84	120	30	40	80	91	72	90	30	72	72	0	60	160	210	140	190	60	110	174	90	90	50	376	2401
Rocky Mountain District	Nearby City	State																														
A Crow Law Enforcement Center	Crow Agency	Montana	90	32	64	35	90	24	84	90	24	60	60	91	144	80	80	40	40	0	20	80	160	90	150	0	160	144	110	40	60	318	1853
B Fort Peck Law Enforcement	Poplar	Montana	110	176	80	112	100	18	30	160	42	80	80	133	80	70	60	96	56	84	30	150	240	100	180	10	130	36	90	90	80	303	2683
C Northern Cheyenne Law Enf	Lamedeer	Montana	120	32	56	28	90	0	42	70	54	90	60	126	128	150	120	88	56	84	20	60	140	90	150	0	110	36	108	80	90	255	2270
D Wind River Detention Center	Fort Washa	Wyoming	130	72	96	21	90	66	90	150	78	40	70	105	80	90	60	88	64	56	30	110	120	90	110	0	120	30	180	90	70	277	2416
E BlackFeet Police Department	Browning	Montana	120	48	64	28	90	0	0	120	105	85	50	77	144	120	20	80	128	0	10	70	160	70	160	90	140	36	110	80	85	243	2193
F Flathead Detention Center	Pablo	Montana	170	128	64	63	70	0	30	130	108	100	100	42	80	110	80	72	80	0	40	70	90	100	40	30	120	18	80	30	80	345	2212
Midwest District	Nearby City	State																														
A Nett Lake Law Enforcement	Nett Lake	Minnesota	60	8	8	7	40	6	6	10	6	10	10	3	8	10	10	8	32	5	10	30	10	10	10	10	20	6	10	30	10	43	360
B Keshena Law Enforcement	Keshena	Wisconsin	150	64	104	77	130	78	114	150	36	120	70	133	152	220	160	144	112	182	270	230	180	130	180	190	200	120	110	140	160	463	4086
Southwest District	Nearby City	State																														
A Laguna Tribal Detention Center	Laguna	New Mexico	90	8	48	14	80	90	90	90	90	36	50	40	35	112	50	110	88	36	21	10	90	80	90	30	10	70	18	90	70	40	192	1652
B Taos Tribal Detention Center	Taos	New Mexico	140	64	64	21	70	42	36	80	30	50	50	56	88	100	130	88	104	56	110	170	70	100	60	40	90	150	120	120	70	270	2369

Appendix F1
Decommissioning Matrix
Summary for 38 BIA, PL-638, Tribal and Self Governance Facilities

Review Categories	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
Maximum Weighted Score	300	240	240	210	300	180	180	300	180	300	300	210	240	300	300	240	240	210	300	300	300	300	300	300	300	180	300	300	300	870	7650
Western District	Nearby City	State																													
A Fort Apache Detention Center	Whiteriver	Arizona	110	86	80	28	110	24	54	140	78	90	80	77	104	120	120	48	72	0	10	50	110	150	90	50	150	18	90	90	60	256	2241
B Tohono O'odham Nation	Sells	Arizona	110	208	48	161	80	162	168	110	132	80	60	91	104	200	190	32	136	77	30	40	80	90	90	0	100	24	60	140	60	346	2863
C San Carlos Detention Center	San Carlos	Arizona	250	160	144	126	300	90	138	240	132	300	270	210	240	220	300	224	240	210	300	300	300	300	300	280	180	300	300	270	780	6954
D Hopi Correction Center	Keams	Arizona	120	36	36	0	110	0	0	150	78	140	40	77	90	110	40	48	112	0	30	160	120	210	60	70	180	108	60	80	240	2118
E Colorado River Tribal	Parker	Arizona	150	136	64	35	160	12	12	90	114	90	30	77	46	80	130	72	136	28	110	120	90	150	130	110	120	168	130	100	80	315	2760
Navajo District	Nearby City	State																													
A Western Detention Center	Tuba City	Arizona	120	72	176	140	240	150	144	100	126	190	130	147	176	160	240	80	168	72	260	230	270	220	200	250	190	150	190	160	160	571	5006
B Chinle Youth	Chinle	Arizona	90	56	120	42	220	72	120	120	72	200	90	175	144	200	200	56	88	105	80	160	240	190	230	160	190	156	160	170	160	460	4066
C Kayenta Detention Center	Kayenta	Arizona	90	72	48	91	78	6	12	80	96	60	90	70	96	160	160	60	48	0	70	60	210	250	0	40	90	150	120	70	60	372	3429
D Shiprock Adult Detention	Shiprock	New Mexico	70	24	56	63	60	12	36	200	54	70	40	35	104	110	40	32	24	7	10	70	80	60	80	0	70	15	80	60	70	198	1578
E Tohatchi Youth Detention	Tohatchi	New Mexico	80	64	136	35	110	36	54	90	24	50	30	49	56	60	90	104	56	0	240	150	140	70	0	20	160	18	150	110	70	246	2232
F Tuba City Detention Center	Tuba City	Arizona	80	8	96	42	90	18	42	80	78	70	60	77	96	100	100	24	48	14	30	70	40	90	30	0	70	18	90	80	70	180	1581
G Window Rock Adult	Window	Arizona	100	72	56	56	30	36	42	110	72	60	60	56	72	110	60	72	64	0	90	60	110	90	80	0	90	24	40	60	80	193	1715
H Dilkon Detention Center	Dilkon	Arizona	100	16	16	0	30	0	6	70	6	10	70	21	48	50	0	96	72	0	0	50	30	50	70	150	140	108	70	60	40	141	1214
I Chinle Adult	Chinle	Arizona	90	56	88	28	60	54	48	90	90	70	30	77	72	90	0	32	24	0	110	30	110	40	100	0	70	18	80	60	30	200	1737
Northwest District	Nearby City	State																													
A Warm Springs Detention	Warm	Oregon	170	184	56	140	130	24	60	120	24	100	150	119	88	120	120	152	112	133	40	130	240	160	190	100	180	126	80	180	140	405	3578
B Spokane Law Enforcement	Wellpinit	Washington	170	64	56	7	90	0	6	90	12	160	160	133	136	70	220	168	96	0	270	240	230	270	180	300	240	162	160	100	160	457	4060
C Quinault Detention Center	Taholah	Washington	160	112	48	112	120	48	54	120	54	40	160	119	96	170	100	136	80	77	150	150	210	190	230	70	160	162	120	90	110	389	3428
D Fort Hall Detention Center	Fort Hall	Idaho	120	152	80	154	90	78	78	90	18	30	30	63	64	60	80	72	32	0	90	60	30	70	50	0	90	72	70	30	60	210	1783
E Puyallup Detention Center	Tacoma	Washington	60	24	72	63	100	0	0	110	60	50	40	70	88	60	90	96	40	0	20	120	40	120	40	70	150	162	110	80	60	223	1955
F Yakama Police Department	Toppenish	Washington	130	48	32	7	84	6	6	120	0	80	140	105	72	30	30	128	40	0	40	120	120	120	10	0	180	132	150	90	90	238	2126
G Nisqually Police Department	Olympia	Washington	140	200	160	196	240	156	126	190	48	150	220	98	128	190	130	144	104	434	120	200	260	190	40	280	170	162	110	260	130	582	4996

	Great Plains District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
				10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Raw Score:			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	100	100	100	100	100	2550
	Weighted Score																																	
A	White Shield Law Enforcement Center	Garrison	N. Dakota	5	0	9	0	2	0	0	1	3	3	0	0	0	0	0	0	5	0	0	2	1	2	3	0	2	1	1	1	1	50	
				50	0	72	0	20	0	0	10	48	30	30	0	0	0	0	0	40	0	0	20	10	20	30	0	20	6	10	10	10		436
A	White Shield Law Enforcement Center	Garrison	N. Dakota	3	0	5	2	5	0	0	0	48	1	3	0	0	0	0	0	2	0	0	4	3	0	2	0	0	3	2	2	4	59	
				30	0	40	14	50	0	0	40	48	10	30	0	0	0	0	16	16	0	40	30	0	20	0	0	30	12	20	40	40		526
A	White Shield Law Enforcement Center	Garrison	N. Dakota	2	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	1	0	4	0	0	0	0	0	4	0	6	0	0	19	
				20	0	0	0	0	0	0	0	20	0	0	0	0	0	0	0	8	0	40	0	0	0	0	0	40	0	60	0	0		188
A	White Shield Law Enforcement Center	Garrison	N. Dakota	100	0	112	14	70	0	0	70	96	40	60	0	0	0	0	0	64	0	80	50	10	40	30	0	90	10	90	50	50	123	1150
B	Kyle Law Enforcement Center (Adult)	Kyle	S. Dakota	3	1	1	0	4	0	0	1	2	4	3	3	4	2	1	1	2	3	0	1	2	3	3	0	2	10	2	2	3	63	
				30	8	8	0	40	0	0	10	12	40	30	21	32	20	10	8	16	21	0	10	20	30	30	0	20	60	20	20	30		546
B	Kyle Law Enforcement Center (Adult)	Kyle	S. Dakota	3	4	5	4	3	5	5	8	4	4	3	5	4	5	1	3	3	6	2	2	3	3	7	1	3	9	7	3	3	118	
				30	32	40	28	30	30	30	80	24	40	30	35	32	50	10	24	24	42	20	20	30	30	70	10	30	54	70	30	30		1005
B	Kyle Law Enforcement Center (Adult)	Kyle	S. Dakota	5	4	1	0	3	0	2	7	0	4	0	2	1	3	2	2	1	6	0	1	2	4	7	0	7	10	6	3	1	84	
				50	32	8	0	30	0	12	70	0	40	0	14	8	30	20	16	8	42	0	10	20	40	70	0	70	60	60	30	10		750
B	Kyle Law Enforcement Center	Kyle	S. Dakota	110	72	56	28	100	30	42	160	36	320	60	72	72	100	40	48	48	105	20	40	70	100	170	10	126	174	150	80	70	265	2301
C	Lomeman (Oglala) Law Enforcement Center	Oglala	S. Dakota	3	0	0	0	0	0	0	1	3	1	1	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	2	1	0	1	16	
				30	0	0	0	0	0	0	10	18	10	10	0	0	0	0	0	24	0	0	0	0	0	0	0	0	0	12	10	0	10	134
C	Lomeman (Oglala) Law Enforcement Center	Oglala	S. Dakota	3	4	4	5	4	0	0	8	5	1	3	0	0	2	0	2	2	0	7	3	0	4	0	0	3	5	0	0	5	70	
				30	32	32	35	40	0	0	80	30	10	30	0	0	20	0	16	16	0	70	30	0	40	0	0	30	30	0	0	50		621
C	Lomeman (Oglala) Law Enforcement Center	Oglala	S. Dakota	5	2	0	0	1	0	0	4	0	0	0	0	0	1	0	0	1	0	4	0	0	0	0	0	4	5	0	0	0	27	
				50	16	0	0	10	0	0	40	0	0	0	0	0	10	0	0	8	0	40	0	0	0	0	0	40	30	0	0	0		244
C	Lomeman (Oglala)	Oglala	S. Dakota	110	48	32	35	50	0	0	130	48	20	40	0	0	30	0	16	48	0	110	30	0	44	0	0	70	72	10	0	40	113	999

Great Plains District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	100	2550
D Porcupine Law Enforcement Center	Porcupine	S. Dakota	4	0	0	0	0	0	0	6	0	0	0	0	0	0	0	6	5	0	0	0	5	0	9	8	6	10	10	0	5	74	
			40	0	0	0	0	0	0	60	0	0	0	0	0	0	0	48	40	0	0	0	50	0	90	80	60	60	100	0	50		678
D Porcupine Law Enforcement Center	Porcupine	S. Dakota	3	0	6	8	4	1	6	6	1	1	7	0	4	4	0	7	1	4	1	5	0	4	9	1	5	5	102				
			30	0	48	56	40	6	6	60	36	10	10	7	56	70	0	32	32	0	70	10	40	10	50	0	40	54	10	50	50		883
D Porcupine Law Enforcement Center	Porcupine	S. Dakota	5	0	0	2	0	0	0	2	0	0	0	0	0	0	0	1	1	0	4	0	2	0	7	0	5	10	1	0	0	40	
			50	0	0	14	0	0	0	20	0	0	0	0	0	0	0	8	8	0	40	0	20	0	70	0	50	60	10	0	0		360
D Porcupine Law Enforcement	Porcupine	S. Dakota	120	0	48	70	40	6	6	140	36	10	10	7	56	70	0	88	80	0	110	10	110	10	310	80	150	174	120	30	100	216	1911
E Wamblee Law Enforcement Center	Wamblee	S. Dakota	4	0	0	0	0	0	0	1	3	0	0	0	0	0	0	1	5	0	0	0	0	0	0	0	1	0	10	0	1	26	
			40	0	0	0	0	0	0	10	18	0	0	0	0	0	0	8	40	0	0	0	0	0	0	0	10	0	100	0	10		236
E Wamblee Law Enforcement Center	Wamblee	S. Dakota	3	0	5	7	4	1	1	6	6	1	1	1	0	0	4	4	4	4	7	1	0	1	3	0	3	4	1	0	5	74	
			30	0	40	49	40	6	6	60	36	10	10	7	8	0	0	32	32	28	70	10	0	10	30	0	30	24	10	0	50		628
E Wamblee Law Enforcement Center	Wamblee	S. Dakota	3	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	1	0	4	0	0	0	0	0	0	5	5	0	0	21	
			30	0	0	0	0	0	0	30	0	0	0	0	0	0	0	0	8	0	40	0	0	0	0	0	50	30	0	0	0		188
E Wamblee Law Enforcement	Wamblee	S. Dakota	100	0	40	49	40	6	6	100	54	10	10	7	8	0	0	40	88	28	110	10	0	10	30	0	90	54	110	0	60	131	1052
F Rosebud Detention Center	Rosebud	S. Dakota	3	0	2	1	2	0	0	3	1	0	2	2	4	2	2	3	0	0	0	4	8	4	8	0	3	10	2	0	1	67	
			30	0	16	7	20	0	0	30	6	0	20	14	32	20	20	24	0	0	0	40	80	40	80	0	30	60	20	0	10		599
F Rosebud Detention Center	Rosebud	S. Dakota	3	5	8	5	4	5	7	2	2	0	4	6	7	5	4	3	3	3	3	3	7	5	4	0	3	8	3	3	5	120	
			30	40	64	35	40	30	42	20	12	0	40	42	56	50	40	24	24	21	30	30	70	50	40	0	30	48	30	30	50		1018
F Rosebud Detention Center	Rosebud	S. Dakota	5	4	3	2	4	3	4	5	1	2	1	2	9	4	1	3	1	4	0	4	9	4	6	0	4	10	1	4	1	101	
			50	32	24	14	40	18	24	50	6	20	10	14	72	40	10	24	8	28	0	40	90	40	60	0	40	60	10	40	10		874
F Rosebud Detention Center	Rosebud	S. Dakota	110	72	104	56	100	48	66	100	24	20	20	20	166	110	70	72	32	40	30	110	240	130	180	0	100	168	60	70	70	288	2491

Great Plains District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
Weighted Score			100	80	80	70	100	60	60	100	60	100	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100		2550
G	Fort Totten Detention Center	Spirit Lake	N. Dakota	3	0	2	0	1	0	3	4	1	0	1	4	4	2	0	3	2	0	0	3	8	6	8	6	5	10	3	3	1	83	
				30	0	16	0	10	0	18	40	6	0	10	28	32	20	0	24	16	0	0	30	80	60	80	60	50	60	30	30	10		740
G	Fort Totten Detention Center	Spirit Lake	N. Dakota	2	4	3	5	4	5	5	4	3	1	4	6	4	5	0	3	4	0	2	4	6	4	4	0	2	9	3	3	3	102	
				20	32	24	35	40	30	30	40	18	10	40	42	32	50	0	24	32	0	20	40	60	40	40	0	20	54	30	30	30		863
G	Fort Totten Detention Center	Spirit Lake	N. Dakota	5	0	1	1	3	4	6	5	1	3	3	3	1	2	1	3	3	0	4	3	7	4	7	0	4	10	3	3	1	91	
				50	0	8	7	30	24	36	50	6	30	30	21	8	20	10	24	24	0	40	30	70	40	70	0	40	60	30	30	10		798
G	Fort Totten Detention Center	Spirit Lake	N. Dakota	100	32	48	42	80	54	84	130	30	40	80	91	72	90	10	72	72	0	60	100	210	140	190	60	110	174	90	90	30	216	2401

EXHIBIT

	Rocky Mountain District Facilities Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
			100	80	80	70	100	60	60	360	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	100	100	100	100		2550
	Raw Score		2	0	1	0	1	0	0	2	1	1	5	3	3	0	1	1	0	0	1	2	2	7	0	1	6	2	1	1	45		
A	Crow Law Enforcement Center	Crow Agency	Montana	20	0	8	0	10	0	0	20	6	10	35	24	30	0	8	8	0	0	10	20	20	70	0	10	36	20	10	10		395
	Raw Score		2	3	4	4	2	0	2	3	2	2	4	6	6	4	4	3	3	0	2	4	3	3	4	0	2	8	4	2	4	90	
A	Crow Law Enforcement Center	Crow Agency	Montana	20	24	32	28	20	0	12	30	12	20	40	42	48	40	40	24	24	0	20	40	30	30	40	0	20	48	40	20	40		784
	Raw Score		5	1	3	1	4	0	1	3	6	2	1	7	1	1	1	2	1	0	1	2	5	3	4	0	7	10	5	1	1	78	
A	Crow Law Enforcement Center	Crow Agency	Montana	50	8	24	7	40	0	6	30	36	20	10	21	56	10	10	8	8	0	0	10	50	30	40	0	70	60	50	10	10		674
	Raw Score		90	32	64	35	70	0	18	60	54	50	60	98	128	80	50	40	40	0	26	60	100	60	145	0	106	144	110	60	60	213	
A	Crow Law Enforcement Center	Crow Agency	Montana	900	256	512	245	700	0	108	540	324	500	600	686	768	800	500	320	320	0	260	600	1000	600	1450	0	1060	1440	1100	600	600	2130	3883
	Raw Score		5	5	4	6	3	0	0	4	2	2	2	6	4	1	2	3	3	3	0	4	8	3	5	0	3	3	2	3	85		
B	Fort Peck Law Enforcement Center	Poplar	Montana	50	40	8	42	30	0	0	40	12	20	20	42	32	10	20	24	24	21	0	40	80	30	50	0	30	30	20	30		757
	Raw Score		4	9	4	7	3	3	5	5	4	3	4	6	5	4	0	4	3	4	3	4	7	2	4	1	3	4	3	4	4	113	
B	Fort Peck Law Enforcement Center	Poplar	Montana	40	72	32	49	30	18	30	50	24	30	40	42	40	40	0	32	24	28	30	40	70	20	40	10	30	24	30	40	40		965
	Raw Score		5	8	5	3	4	0	0	7	1	3	2	7	1	2	4	5	1	5	0	5	9	5	9	0	7	0	3	3	1	105	
B	Fort Peck Law Enforcement Center	Poplar	Montana	50	64	40	21	40	0	0	70	6	30	20	49	8	20	40	40	8	35	0	50	90	50	90	0	70	0	30	30	10		961
	Raw Score		110	176	80	112	100	18	30	166	42	80	80	133	89	70	60	36	56	84	30	98	240	100	180	10	130	36	90	90	90	363	
B	Fort Peck Law Enforcement	Poplar	Montana	1100	1760	800	1120	1000	180	300	1660	420	800	800	1330	890	700	600	360	560	840	300	980	2400	1000	1800	100	1300	360	900	900	900	3630	2683
	Raw Score		5	0	1	1	0	1	2	2	4	2	5	3	3	4	2	3	3	3	0	0	6	0	4	0	4	2	2	2	3	65	
C	Northern Cheyenne Law Enforcement Center	Lamedeer	Montana	50	0	8	7	10	0	6	20	12	40	20	35	24	30	40	16	24	21	0	0	60	0	40	0	40	12	20	30		585
	Raw Score		2	3	4	3	3	0	3	4	3	3	2	8	8	8	4	5	3	4	2	4	3	2	4	0	3	4	3	3	5	103	
C	Northern Cheyenne Law Enforcement Center	Lamedeer	Montana	20	24	32	21	30	0	18	40	18	30	20	56	64	80	40	40	24	28	20	40	30	20	40	0	30	24	30	30	50		899
	Raw Score		5	1	2	0	5	0	3	1	4	2	2	5	5	4	4	4	1	5	0	2	5	7	7	0	4	0	5	3	1	87	
C	Northern Cheyenne Law Enforcement Center	Lamedeer	Montana	50	8	16	0	50	0	18	10	24	20	20	35	40	40	40	32	8	35	0	20	50	70	70	0	40	0	50	30	10		786
C	Northern Cheyenne Law	Lamedeer	Montana	1100	1760	800	1120	1000	180	300	1660	420	800	800	1330	890	700	600	360	560	840	300	980	2400	1000	1800	100	1300	360	900	900	900	3630	2683

DRAFT

	Rocky Mountain District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
	Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100		2550
D	Wind River Detention Center	Fort Washak	Wyoming	5	2	4	0	1	2	5	4	3	0	2	4	1	2	1	2	3	0	0	2	5	0	1	0	4	2	2	2	3	62	
				50	16	32	0	10	12	30	40	18	0	20	28	8	20	10	16	24	0	0	20	50	0	10	0	40	12	20	20	30		536
D	Wind River Detention Center	Fort Washak	Wyoming	3	4	5	3	3	6	5	6	4	2	3	5	4	4	3	4	4	3	3	4	2	2	3	0	3	3	9	4	3	107	
				30	32	40	21	30	36	30	60	24	20	30	35	32	40	30	32	32	21	30	40	20	20	30	0	30	18	90	40	30		923
D	Wind River Detention Center	Fort Washak	Wyoming	5	3	3	0	5	3	5	5	6	2	2	6	5	3	4	5	1	5	0	5	5	7	7	0	5	0	7	3	1	108	
				50	24	24	0	50	18	30	50	36	20	20	42	40	30	40	40	8	35	0	50	50	70	70	0	50	0	70	30	10		957
D	Wind River Detention Center	Fort Washak	Wyoming	130	72	96	21	90	66	90	150	78	40	70	105	80	90	80	88	64	56	30	110	120	90	110	0	120	30	180	90	70	277	2416
E	Blackfeet Police Department	Browning	Montana	5	0	1	0	1	0	0	2	1	0	1	3	6	2	0	1	2	0	0	0	3	7	4	6	2	3	0	2	2	1	55	
				50	0	8	0	10	0	0	20	6	0	10	21	48	20	0	8	16	0	0	0	30	70	40	60	20	30	0	20	20	10		517
E	Blackfeet Police Department	Browning	Montana	2	4	5	3	3	0	0	5	9	3	3	5	6	8	1	3	5	0	1	3	4		4	4	4	3	4	3	3	98	
				20	32	40	21	30	0	0	50	54	30	30	35	48	80	10	24	40	0	10	30	40	0	40	40	40	18	40	30	30		862
E	Blackfeet Police Department	Browning	Montana	5	1	2	1	4	0	0	5	7	2	1	3	6	2	1	6	9	0	0	1	5	3	6	3	7	0	5	4	1	90	
				50	8	16	7	40	0	0	50	42	20	10	21	48	20	10	48	72	0	0	10	50	30	60	30	70	0	50	40	10		812
E	Blackfeet Police Department	Browning	Montana	120	40	64	28	80	0	0	120	102	50	50	77	144	120	20	80	128	0	10	70	160	70	160	90	140	18	110	90	50	243	2191
F	Flathead Detention Center	Pablo	Montana	9	5	2	5	0	0	1	4	2	3	1	1	3	2	0	1	2	0	0	3	5	4	1	1	3	0	2	1	3	64	
				90	40	16	35	0	0	6	40	12	30	10	7	24	20	0	8	16	0	0	30	50	40	10	10	30	0	20	10	30		584
F	Flathead Detention Center	Pablo	Montana	3	5	4	4	4	0	4	8	8	4	6	4	4	4	3	4	4	0	4	3	2	3	3	0	3	3	2	4	4	104	
				30	40	32	28	40	0	24	80	48	40	60	28	32	40	30	32	32	0	40	30	20	30	30	0	30	18	20	40	40		914
F	Flathead Detention Center	Pablo	Montana	5	6	2	0	3	0	0	5	8	3	3	2	3	5	5	4	4	0	0	1	2	3	0	0	6	0	4	4	1	79	
				50	48	16	0	30	0	0	50	48	30	30	14	24	50	50	32	32	0	0	10	20	30	0	0	60	0	40	40	10		714
F	Flathead Detention Center	Pablo	Montana	170	128	64	63	70	0	30	170	108	100	100	49	80	110	80	72	80	0	40	70	90	100	40	10	120	18	80	90	80	147	2212

DRAFT

Appendix F2
Numerical Assessment
of 38 BIA, PL-638, Tribal and Self Governance Facilities

Midwest District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	2550
			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	80	70	100	100	100	100	100	100	100	60	100	100	100	
A Nett Lake Law Enforcement Center	Nett Lake	Minnesota	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0											3	
																			24	0	0	0	0	0	0	0	0	0	0	0	0		24
A Nett Lake Law Enforcement Center	Nett Lake	Minnesota	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	29	
			10	8	8	7	10	6	6	10	6	10	10	7	8	10	10	8	8	7	10	10	10	10	10	10	10	6	10	10	10		255
A Nett Lake Law Enforcement Center	Nett Lake	Minnesota	5	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	9	
			50	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0		90
A Nett Lake Law Enforcement	Nett Lake	Minnesota	60	8	8	7	40	6	6	10	6	10	10	7	8	10	10	8	32	7	10	10	10	10	10	10	10	20	6	10	10	41	369
B Keshena Law Enforcement Center	Keshena	Wisconsin	7	2	4	8	2	7	7	4	4	1	2	8	7	8	9	9	8	8	10	9	8	8	6	10	9	10	2	5	7	189	
			70	16	32	56	20	42	42	40	24	10	20	56	56	80	90	72	64	56	100	90	80	80	60	100	90	60	20	50	70		1646
B Keshena Law Enforcement Center	Keshena	Wisconsin	3	3	3	3	5	5	6	3	2	6	3	5	5	7	6	4	3	8	7	7	3		4	4	4	4	5	5	4	5	128	
			30	24	24	21	50	30	36	30	12	60	30	35	40	70	60	32	24	56	70	70	30	0	40	40	40	30	50	40	50		1124
B Keshena Law Enforcement Center	Keshena	Wisconsin	5	3	6	0	6	1	6	6	0	5	2	6	7	7	7	1	5	3	10	10	7	7	5	8	5	7	5	4	5	4	146	
			50	24	48	0	60	6	36	60	0	50	20	42	56	70	10	40	24	70	100	70	70	50	80	80	50	70	30	40	50	40		1316
B Keshena Law Enforcement	Keshena	Wisconsin	150	64	104	77	130	78	114	130	36	120	70	133	152	230	160	144	112	182	270	230	180	130	180	190	200	120	110	140	160	363	4086

Appendix F2
Numerical Assessment
of 38 BIA, PL-638, Tribal and Self Governance Facilities

	Southwest District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
				10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Raw Score																																	
	Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	2550
A	Laguna Tribal Detention Center	Laguna	New Mexico	1	0	3	1	2	6	6	4	3	1	2	2	5	1	6	2	2	2	0	2	2	3	2	0	2	1	0	3	2	66	
				10	0	24	7	30	36	36	40	18	10	20	14	40	10	60	16	16	14	0	20	20	30	20	0	20	6	6	0	30	20		557
A	Laguna Tribal Detention Center	Laguna	New Mexico	3	1	1	1	2	4	4	3	2	2	1	1	5	2	3	4	2	1	1	1	1	1	1	1	1	1	1	1	1	53	
				30	8	8	7	20	24	24	30	12	20	10	7	40	20	30	32	16	7	10	10	10	10	10	0	4	1	10	10	10	10		451
A	Laguna Tribal Detention Center	Laguna	New Mexico	5	0	2	0	4	5	5	2	1	2	1	0	4	2	2	5	8	0	0	3	5	1	0	0	4	1	7	3	1	73	
				50	0	16	0	40	30	30	20	6	20	10	0	32	20	20	40	64	0	0	30	50	10	0	0	40	6	70	30	10		644
A	Laguna Tribal Detention Center	Laguna	New Mexico	90	8	46	14	80	90	90	90	36	50	40	21	112	50	110	88	96	21	10	60	80	50	30	10	70	18	80	70	40	192	1652
B	Taos Tribal Detention Center	Taos	New Mexico	4	0	3	0	3	0	0	1	2	1	1	1	5	2	8	2	2	0	0	5	4	2	2	0	4	10	2	3	1	68	
				40	0	24	0	30	0	0	10	12	10	10	7	40	20	80	16	16	0	0	50	40	20	20	0	40	60	20	30	10		605
B	Taos Tribal Detention Center	Taos	New Mexico	5	3	3	3	5	6	3	2	2	3	5	5	7	3	4	3	8	7	7	7	3	7	4	4	4	5	5	4	5	128	
				50	24	24	21	30	30	36	30	12	20	30	35	40	70	30	32	24	56	70	70	30	70	40	40	40	30	50	40	50		1124
B	Taos Tribal Detention Center	Taos	New Mexico	5	5	2	0	1	2	0	4	1	2	1	2	1	1	2	5	8	0	4	5	0	1	0	0	1	10	5	5	1	74	
				50	40	16	0	10	12	0	40	6	20	10	14	8	10	20	40	64	0	40	50	0	10	0	0	10	60	50	50	10		640
B	Taos Tribal Detention Center	Taos	New Mexico	140	64	64	21	70	42	36	80	30	50	50	56	88	100	130	88	104	56	110	170	70	100	60	40	90	150	130	120	70	270	2369

	Western District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
	Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Weighted Score			100	80	70	100	60	60	100	60	100	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	100	100	100	100		2550
A	Fort Apache Detention Center	Whiteriver	Arizona	3	3	4	2	0	0	4	4	3	1	3	4	3	3	2	3	0	0	1	2	2	2	2	3	2	1	2	2	63		
				30	24	32	14	20	0	40	24	30	10	24	32	30	30	16	24	0	0	10	20	20	20	20	30	12	10	20	20			559
A	Fort Apache Detention Center	Whiteriver	Arizona	3	3	3	2	3	3	4	3	4	4	2	3	3	4	4	2	2	0	1	3	3	6	1	0	3	1	3	4	3	80	
				30	24	24	14	30	18	24	30	24	40	20	21	24	40	40	16	16	0	10	30	30	60	10	0	30	6	30	40	30		711
A	Fort Apache Detention Center	Whiteriver	Arizona	5	5	3	0	6	1	5	7	5	2	2	5	6	5	5	2	4	0	0	1	6	7	6	3	7	0	5	3	1	107	
				50	40	24	0	60	6	30	70	30	20	20	35	48	50	50	16	32	0	0	10	60	70	60	30	70	0	50	30	10		971
A	Fort Apache Detention Center	Whiteriver	Arizona	110	88	80	38	110	24	54	140	78	90	50	77	106	120	120	48	72	0	10	50	110	150	90	50	130	18	160	90	60	250	2241
B	Tohono O' odham Nation Detention Center	Sells	Arizona	3	10	0	6	1	8	10	7	8	1	1	0	5	6	7	1	4	4	1	0	1	2	0	0	2	2	1	4	1	96	
				30	80	0	42	10	48	60	70	48	10	10	0	40	60	70	8	32	28	10	0	10	20	0	0	20	12	10	40	10		778
B	Tohono O' odham Nation Detention Center	Sells	Arizona	3	6	3	7	3	9	8	1	6	5	4	7	3	5	6	2	5	0	2	3	2	3	3	0	3	2	2	3	4	110	
				30	48	24	49	30	54	48	10	36	50	40	49	24	50	69	16	40	0	20	30	20	30	30	0	30	12	20	30	40		920
B	Tohono O' odham Nation Detention Center	Sells	Arizona	5	10	3	10	4	10	3	8	2	1	6	5	9	6	1	8	7	0	1	5	4	6	0	5	6	3	7	1	140		
				50	80	24	70	40	60	60	30	48	20	10	42	40	90	60	8	64	49	0	10	50	40	60	0	50	0	30	70	10		1165
B	Tohono O' odham Nation	Sells	Arizona	110	208	48	161	80	162	168	110	152	80	60	91	104	200	190	32	136	77	30	40	80	90	90	5	100	34	60	340	60	346	2862
C	San Carlos Detention Center	San Carlos	Arizona	9	5	6	5	10	8	8	10	8	10	9	10	10	9	10	9	10	10	10	10	10	10	10	10	9	10	10	10	9	264	
				90	40	48	35	100	48	48	100	48	100	90	70	80	90	100	72	80	70	100	100	100	100	100	100	90	60	100	100	90		2349
C	San Carlos Detention Center	San Carlos	Arizona	8	5	5	5	10	7	8	10	6	10	9	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	8	261	
				80	40	40	35	100	42	48	100	36	100	90	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	80		2331
C	San Carlos Detention Center	San Carlos	Arizona	5	10	7	8	10	0	7	9	8	10	9	10	10	4	10	9	10	10	10	10	10	10	10	10	9	10	10	10	10	255	
				50	80	56	56	100	0	42	90	48	100	90	70	80	40	100	72	80	70	100	100	100	100	100	100	90	60	100	100	100		2274
C	San Carlos Detention Center	San Carlos	Arizona	220	160	144	126	300	90	138	290	132	300	270	210	240	230	300	224	240	210	300	300	300	300	300	300	280	180	300	300	270	780	6954

Western District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
Raw Score			10	10	10	0	2	0	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
Weighted Score			100	80	70	100	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	100		2550
D Hopi Correction Center	Keams Canyon	Arizona	4	0	5	0	2	0	0	4	4	4	0	0	3	4	0	2	3	0	0	2	3	2	1	1	1	10	0	2	3	60	
			40	0	40	0	20	0	0	40	24	40	0	0	24	40	0	16	24	0	0	20	30	20	10	10	10	60	0	20	30		518
D Hopi Correction Center	Keams Canyon	Arizona	3	4	3	0	5	0	0	3	5	5	3	5	2	3	0	2	3	0	1	3	4	4	1	2	3	5	3	2	3	77	
			30	32	24	0	50	0	0	30	30	50	30	35	16	30	0	16	24	0	10	30	40	40	10	20	30	30	30	20	30		687
D Hopi Correction Center	Keams Canyon	Arizona	5	3	3	0	4	0	0	6	4	5	1	6	5	4	4	2	8	0	0	5	5	7	0	3	3	10	7	1	2	103	
			50	24	24	0	40	0	0	60	24	50	10	42	40	40	40	16	64	0	0	50	50	70	0	30	30	60	70	10	20		914
D Hopi Correction Center	Keams Canyon	Arizona	12	56	88	0	110	0	0	130	78	140	40	77	80	110	40	48	112	0	10	100	120	150	20	60	70	150	100	30	80	240	2119
E Colorado River Tribal Detention Center	Parker	Arizona	7	7	2	2	1	2	2	5	4	2	0	4	5	4	7	5	6	2	0	5	4	4	5	4	5	10	5	4	3	116	
			70	56	16	14	10	12	12	50	24	20	0	28	40	40	70	40	48	14	0	50	40	40	50	40	50	60	50	40	30		1014
E Colorado River Tribal Detention Center	Parker	Arizona	3	5	5	3	4	0	0	2	8	5	2	3	2	2	0	3	4	2	5	4	1	4	2	4	2	8	3	3	4	92	
			30	40	32	21	40	0	0	20	48	50	20	21	16	20	0	24	32	14	50	40	10	40	20	40	20	48	30	30	40		796
E Colorado River Tribal Detention Center	Parker	Arizona	5	5	2	0	5	0	0	2	7	2	1	4	5	2	6	1	7	0	6	3	4	7	6	3	5	10	5	3	1	107	
			50	40	16	0	50	0	0	20	42	20	10	28	40	20	60	8	56	0	60	30	40	70	60	30	50	60	50	30	10		950
E Colorado River Tribal	Parker	Arizona	150	136	64	35	100	12	12	90	114	90	30	77	96	80	130	72	136	28	110	130	90	150	130	110	120	168	138	100	80	135	2760

FOR OFFICIAL USE ONLY

Appendix F2
Numerical Assessment
of 38 BIA, PL-638, Tribal and Self Governance Facilities

	Navajo District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
	Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	2550
A	Western Detention Center	Tuba City	Arizona	3	5	8	8	10	10	9	9	9	7	7	9	9	9	10	6	8	1	10	9	9	9	8	10	7	10	9	8	6	232	
				30	40	64	56	100	60	54	90	54	70	70	63	72	90	100	48	64	7	100	90	90	90	80	100	70	60	90	80	60		2042
A	Western Detention Center	Tuba City	Arizona	3	3	4	4	6	5	5	5	4	3	4	4	4	3	4	1	4	3	6	4	8	3	5	8	3	5	3	3	5	122	
				30	24	32	28	60	30	30	50	24	30	40	28	32	30	40	8	32	21	60	40	80	30	50	80	30	30	30	30	50		1079
A	Western Detention Center	Tuba City	Arizona	6	1	10	8	8	10	10	5	8	9	2	8	9	4	10	3	9	7	10	10	10	10	7	7	9	10	7	5	5	217	
				60	8	80	56	80	60	60	50	48	90	20	56	72	40	100	24	72	49	100	100	100	100	70	70	90	60	70	50	50		1885
A	Western Detention Center	Tuba City	Arizona	120	72	176	140	240	150	144	190	126	190	130	147	176	160	240	80	168	77	260	230	270	220	200	250	190	150	190	160	160	571	5006
B	Chinle Youth	Chinle	Arizona	2	1	3	3	10	8	7	4	5	8	5	8	7	8	6	3	1	3	1	5	9	9	8	10	7	10	4	8	6	169	
	Corrections Center			20	8	24	21	100	48	42	40	30	80	50	56	56	80	60	24	8	21	10	50	90	90	80	100	70	60	40	80	60		1498
B	Chinle Youth	Chinle	Arizona	2	3	4	3	3	4	4	3	3	4	2	7	1	6	4	2	3	4	3	3	6	3	6	1	3	6	3	4	5	105	
	Corrections Center			20	24	32	21	30	24	24	30	18	40	20	49	8	60	40	16	24	28	30	30	60	30	60	10	30	36	30	40	50		914
B	Chinle Youth	Chinle	Arizona	5	3	8	0	9	0	9	5	4	8	2	10	10	6	10	2	7	8	4	8	9	7	9	5	9	10	9	5	5	186	
	Corrections Center			50	24	64	0	90	0	54	50	24	80	20	70	80	60	100	16	56	56	40	80	90	70	90	50	90	60	90	50	50		1654
B	Chinle Youth	Chinle	Arizona	90	56	120	42	220	72	120	120	72	200	90	175	144	200	200	56	88	105	80	160	240	190	230	160	190	156	160	170	160	460	4066
C	Kayenta Detention Center	Kayenta	Arizona	2	0	2	4	2	0	0	3	6	2	1	6	0	1	0	1	1	0	0	2	0	1	0	0	2	10	3	2	1	52	
				20	0	16	28	20	0	0	30	36	20	10	42	0	10	0	8	8	0	0	20	0	10	0	0	20	60	30	20	10		418
C	Kayenta Detention Center	Kayenta	Arizona	1	0	2	4	3	1	1	3	4	2	3	1	1	1	0	3	2	0	1	3	1	3	0	1	3	5	1	1	5	56	
				10	0	16	28	30	6	6	30	24	20	30	7	8	10	0	24	16	0	10	30	10	30	0	10	30	30	10	10	50		485
C	Kayenta Detention Center	Kayenta	Arizona	5	0	1	5	2	0	1	2	6	0	1	3	1	4	1	1	3	0	0	1	1	1	0	3	4	10	8	0	0	64	
				50	0	8	35	20	0	6	20	36	0	10	21	8	40	10	8	24	0	0	10	10	10	0	30	40	60	80	0	0		536
C	Kayenta Detention Center	Kayenta	Arizona	80	0	40	91	70	6	12	80	96	40	80	70	16	60	10	40	48	0	10	60	20	50	0	40	90	150	120	30	60	172	1439

DRAFT

	Navajo District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
	Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	2550
D	Shiprock Adult Detention Center	Shiprock	New Mexico	2	0	3	2	0	0	2	4	2	2	1	5	4	3	0	1	1	0	0	3	2	0	3	0	1	2	4	0	1	48	
				20	0	24	14	0	0	12	40	12	20	10	35	32	30	0	8	8	0	0	30	20	0	30	0	10	12	40	0	10		417
D	Shiprock Adult Detention Center	Shiprock	New Mexico	0	2	2	3	2	2	2	2	3	3	2	3	2	4	1	2	2	1	1	3	2	3	2	0	3	1	1	3	5	62	
				0	16	16	21	20	12	12	20	18	30	20	21	16	40	10	16	16	7	10	30	20	30	20	0	30	6	10	30	50		547
D	Shiprock Adult Detention Center	Shiprock	New Mexico	5	1	2	4	3	0	2	2	4	2	1	4	7	4	3	1	3	0	0	1	4	3	3	0	3	0	3	3	1	69	
				50	8	16	28	30	0	12	20	24	20	10	28	56	40	30	8	24	0	0	10	40	30	30	0	30	0	30	30	10		614
D	Shiprock Adult Detention	Shiprock	New Mexico	70	24	56	63	50	12	36	80	54	70	40	84	104	110	40	32	48	7	10	70	80	60	80	0	70	18	80	60	70	179	1578
E	Tohatchi Youth Detention Center	Tohatchi	New Mexico	2	3	8	4	5	2	2	5	3	2	2	3	3	5	5	4	2	0	10	5	4	1	0	2	8	1	4	3	2	100	
				20	24	64	28	50	12	12	50	18	20	20	21	24	50	50	32	16	0	100	50	40	10	0	20	80	6	40	30	20		907
E	Tohatchi Youth Detention Center	Tohatchi	New Mexico	1	1	4	1	4	4	4	1	1	1	1	1	1	1	3	3	4	0	4	3	3	3	0	0	3	2	3	3	5	65	
				10	8	32	7	40	24	24	10	6	10	10	7	8	10	30	24	32	0	40	30	30	30	0	0	30	12	30	30	50		574
E	Tohatchi Youth Detention Center	Tohatchi	New Mexico	5	4	5	0	2	0	3	3	0	2	0	3	3	0	1	6	1	0	10	7	7	3	0	0	5	0	6	5	0	81	
				50	32	40	0	20	0	18	30	0	20	0	21	24	0	10	48	8	0	100	70	70	30	0	0	50	0	60	50	0		751
E	Tohatchi Youth Detention	Tohatchi	New Mexico	80	64	136	35	110	36	54	90	24	50	30	49	56	60	90	104	56	0	240	150	140	70	0	20	160	18	130	110	70	246	2232
F	Tuba City Detention Center	Tuba City	Arizona	2	0	4	3	3	0	3	3	4	2	2	2	0	3	0	1	1	0	0	2	2	2	1	0	2	1	1	2	1	47	
				20	0	32	21	30	0	18	30	24	20	20	14	0	30	0	8	8	0	0	20	20	20	10	0	20	6	10	20	10		411
F	Tuba City Detention Center	Tuba City	Arizona	1	1	3	3	3	2	2	4	2	2	3	3	4	4	0	2	2	2	3	4	2	4	2	0	2	2	2	3	5	72	
				10	8	24	21	30	12	12	40	12	20	30	21	32	40	0	16	16	14	30	40	20	40	20	0	20	12	20	30	50		640
F	Tuba City Detention Center	Tuba City	Arizona	5	0	5	0	3	1	2	1	7	3	1	6	3	3	1	0	3	0	0	1	0	3	0	0	3	0	6	3	1	61	
				50	0	40	0	30	6	12	10	42	30	10	42	24	30	10	0	24	0	0	10	0	30	0	0	30	0	60	30	10		530
F	Tuba City Detention Center	Tuba City	Arizona	80	8	96	42	90	18	42	80	78	70	60	77	56	100	10	24	48	14	30	70	40	90	30	0	70	18	90	80	70	180	1581

DRAFT

1000

Appendix F2
Numerical Assessment
of 38 BIA, PL-638, Tribal and Self Governance Facilities

	Navajo District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
				10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
				100	80	80	70	100	60	60	100	60	100	100	70	100	100	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	2550
	Raw Score																																	
	Weighted Score																																	
G	Window Rock Adult Corrections Center	Window Rock	Arizona	2 20	0 0	3 24	3 21	0 0	0 0	2 12	4 40	3 18	1 10	2 20	2 14	3 24	2 20	2 20	1 8	1 8	0 0	0 0	0 0	2 20	3 30	2 20	2 20	0 0	2 20	2 20	1 10	2 20	2 20	49 431	
G	Window Rock Adult Corrections Center	Window Rock	Arizona	3 30	2 16	2 16	2 14	1 10	0 0	3 18	3 30	4 24	2 20	3 30	3 21	3 24	3 20	4 40	1 10	3 24	3 24	0 0	2 20	3 30	2 20	3 30	3 30	0 0	2 20	2 12	1 10	3 30	5 50	68 603	
G	Window Rock Adult Corrections Center	Window Rock	Arizona	5 50	2 16	2 16	0 0	2 20	5 30	2 12	4 40	5 30	3 30	1 10	3 21	3 24	5 50	3 30	0 0	4 32	0 0	4 40	1 10	6 60	4 40	3 30	0 0	5 50	0 0	2 20	1 10	1 10	76 681	
G	Window Rock Adult	Window	Arizona	100	32	56	35	30	30	42	110	72	60	60	56	72	110	60	32	64	0	40	60	110	90	60	0	90	24	40	60	80	183	1715
H	Dilkon Detention Center	Dilkon	Arizona	2 20	0 0	0 0	0 0	0 0	0 0	0 0	4 40	0 0	0 0	2 20	0 0	0 0	0 0	0 0	1 8	1 8	0 0	0 0	0 0	2 20	0 0	1 10	2 20	5 50	10 60	6 60	1 10	1 10	38 336	
H	Dilkon Detention Center	Dilkon	Arizona	3 30	2 16	2 16	0 0	3 30	0 0	1 6	2 20	1 6	1 10	4 40	1 7	1 8	4 40	0 0	4 32	2 16	1 7	0 0	0 0	1 10	0 0	1 10	0 0	2 20	5 50	8 48	4 40	0 0	5 50	58 512	
H	Dilkon Detention Center	Dilkon	Arizona	5 50	0 0	0 0	0 0	0 0	0 0	0 0	1 10	0 0	0 0	1 10	0 0	0 0	1 10	0 0	6 48	1 8	0 0	0 0	1 10	0 0	1 10	0 0	3 30	6 60	10 60	9 90	0 0	0 0	45 396	
H	Dilkon Detention Center	Dilkon	Arizona	100	16	16	0	30	0	6	70	6	10	70	7	8	80	0	88	32	7	0	10	30	20	10	70	60	168	150	10	60	141	1246
I	Chinle Adult Detention Center	Chinle	Arizona	2 20	0 0	2 14	1 10	0 0	2 12	3 30	5 30	2 20	2 20	2 14	3 24	2 20	0 0	1 8	1 8	0 0	0 0	0 0	1 10	1 10	4 40	0 0	2 20	1 6	2 20	3 30	2 20	2 20	47 410	
I	Chinle Adult Detention Center	Chinle	Arizona	1 10	5 40	3 24	2 14	3 30	4 24	4 24	1 10	3 18	3 30	0 0	5 35	2 16	4 40	0 0	2 16	2 16	0 0	5 50	3 30	3 30	3 30	3 30	0 0	2 20	2 12	1 10	2 20	5 50	73 629	
I	Chinle Adult Detention Center	Chinle	Arizona	5 50	2 16	5 40	0 0	2 20	5 30	2 12	1 10	7 42	2 20	1 10	4 28	4 32	3 30	0 0	1 8	5 40	0 0	6 60	1 10	7 70	4 40	3 30	0 0	3 30	0 0	5 50	1 10	1 10	80 698	
I	Chinle Adult	Chinle	Arizona	80	56	88	58	60	54	48	50	90	70	90	70	72	90	0	32	64	0	110	40	110	80	160	0	70	18	80	60	80	209	1727

	Northwest District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
	Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100		2550
A	Warm Springs Detention Center	Warm Springs	Oregon	8	8	3	8	3	0	5	6	3	2	4	4	8	5	5	7	4	8	2	4	9	7	6	5	7	9	2	7	2	151	
				80	64	24	56	30	0	30	60	18	20	40	28	64	50	50	56	32	56	20	40	90	70	60	50	70	54	20	70	20		1322
A	Warm Springs Detention Center	Warm Springs	Oregon	3	5	3	5	2	2	2	2	1	3	4	4	2	3	4	3	3	6	2	2	5	2	4	2	2	2	1	2	5	86	
				30	40	24	35	20	12	12	20	6	30	40	28	16	30	40	24	24	42	20	20	50	20	40	20	20	12	10	20	50		755
A	Warm Springs Detention Center	Warm Springs	Oregon	6	10	1	7	8	2	3	4	0	5	7	9	1	4	3	9	7	5	0	7	10	7	9	3	9	10	5	10	7	168	
				60	80	8	49	80	12	18	40	0	50	70	63	8	40	30	72	56	35	0	70	100	70	90	30	90	60	50	100	70		1501
A	Warm Springs Detention	Warm	Oregon	170	184	56	140	130	24	60	120	24	100	150	119	88	120	170	152	112	133	40	130	240	160	190	100	180	126	80	190	140	405	3578
B	Spokane Law Enforcement Center	Wellpinit	Washington	8	2	3	0	2	0	1	3	2	5	3	5	7	3	8	7	4	0	10	7	9	9	9	10	8	9	6	8	3	151	
				80	16	24	0	20	0	6	30	12	50	30	35	56	30	80	56	32	0	100	70	90	90	90	100	80	54	60	80	30		1401
B	Spokane Law Enforcement Center	Wellpinit	Washington	3	1	2	1	1	0	0	2	0	4	5	6	7	3	5	5	3	0	7	8	6	8	2	10	8	8	3	6	5	119	
				30	8	16	7	10	0	0	20	0	40	50	42	56	30	50	40	24	0	70	80	60	80	20	100	80	48	30	60	50		1101
B	Spokane Law Enforcement Center	Wellpinit	Washington	6	5	2	0	6	0	0	4	0	9	8	8	3	1	9	9	5	0	10	9	8	10	7	10	8	10	7	5	8	167	
				60	40	16	0	60	0	0	40	0	90	80	56	24	10	90	72	40	0	100	90	80	100	70	100	80	60	70	50	80		1558
B	Spokane Law Enforcement	Wellpinit	Washington	179	64	56	7	90	0	6	90	12	180	160	133	136	70	220	168	96	0	270	240	230	270	180	300	240	162	160	190	160	437	4060
C	Quinault Detention Center	Taholah	Washington	7	2	1	4	2	0	0	3	1	1	3	4	6	4	4	6	3	3	3	5	4	4	8	2	6	9	2	4	2	103	
				70	16	8	28	20	0	0	30	6	10	30	28	48	40	40	48	24	21	30	50	40	40	80	20	60	54	20	40	20		921
C	Quinault Detention Center	Taholah	Washington	4	4	3	3	3	0	0	3	4	2	4	7	5	7	3	3	3	2	2	5	8	5	6	2	4	8	3	2	5	110	
				40	32	24	21	30	0	0	30	24	20	40	49	40	70	30	24	24	14	20	50	80	50	60	20	40	48	30	20	50		980
C	Quinault Detention Center	Taholah	Washington	5	8	2	9	7	8	9	6	4	1	9	6	1	6	3	8	4	6	8	5	9	10	9	3	6	10	7	3	4	176	
				50	64	16	63	70	48	54	60	24	10	90	42	8	60	30	64	32	42	80	50	90	100	90	30	60	60	70	30	40		1527
C	Quinault Detention Center	Taholah	Washington	160	112	48	112	120	48	54	120	54	40	160	119	96	170	100	136	80	77	130	150	210	190	230	70	160	162	120	90	110	389	3428

Appendix F2
Numerical Assessment
of 38 BIA, PL-638, Tribal and Self Governance Facilities

	Northwest District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
	Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
	Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	2550
D	Fort Hall Detention Center	Fort Hall	Idaho	4	3	2	6	2	4	2	2	1	1	1	0	1	1	0	1	0	0	0	1	1	1	1	0	2	0	2	1	1	41	
				40	24	16	42	20	24	12	20	6	10	10	0	8	10	0	8	0	0	0	10	10	10	10	0	20	0	20	10	10		350
D	Fort Hall Detention Center	Fort Hall	Idaho	3	6	5	6	5	5	7	3	1	2	2	3	4	2	0	4	3	0	3	5	2	5	1	0	2	2	2	1	5	89	
				30	48	40	42	50	30	42	30	6	20	20	21	32	20	0	32	24	0	30	50	20	50	10	0	20	12	20	10	50		759
D	Fort Hall Detention Center	Fort Hall	Idaho	5	10	3	10	2	4	4	4	1	0	0	6	3	3	1	4	1	0	6	3	0	1	3	0	2	0	3	1	0	80	
				50	80	24	70	20	24	24	40	6	0	0	42	24	30	10	32	8	0	60	30	0	10	30	0	20	0	30	10	0		674
D	Fort Hall Detention Center	Fort Hall	Idaho	120	152	80	154	90	78	78	90	18	30	30	63	64	60	10	72	32	0	90	90	30	70	50	0	60	12	70	30	60	210	1783
E	Puyallup Detention Center	Tacoma	Washington	2	1	3	1	2	0	0	3	2	1	0	4	7	1	3	4	1	0	0	2	1	4	1	7	7	9	2	4	1	73	
				20	8	24	7	20	0	0	30	12	10	0	28	56	10	30	32	8	0	0	20	10	40	10	70	70	54	20	40	10		639
E	Puyallup Detention Center	Tacoma	Washington	1	2	3	8	6	0	0	4	6	3	3	5	3	3	3	3	2	0	2	5	3	5	3	0	5	8	4	3	5	98	
				10	16	24	56	60	0	0	40	36	30	30	35	24	30	30	24	16	0	20	50	30	50	30	0	50	48	40	30	50		859
E	Puyallup Detention Center	Tacoma	Washington	3	0	3	0	2	0	0	4	2	1	1	1	1	2	3	0	2	0	0	5	0	3	0	0	3	10	5	1	0	52	
				30	0	24	0	20	0	0	40	12	10	10	7	8	20	30	0	16	0	0	50	0	30	0	0	30	60	50	10	0		457
E	Puyallup Detention Center	Tacoma	Washington	60	24	72	63	100	0	0	110	60	50	40	70	88	60	90	56	40	0	20	120	40	120	40	70	150	162	110	80	60	223	1955
F	Yakama Police Department	Toppenish	Washington	4	1						5		2	4	4				5	1	0	0	1	3	2	1	0	6	4	3	3	1	50	
				40	8	0	0	0	0	0	50	0	20	40	28	0	0	0	40	8	0	0	10	30	20	10	0	60	24	30	30	10		458
F	Yakama Police Department	Toppenish	Washington	4	2	1	1	1	0	0	0	0	2	3	2	5	1	0	5	2	0	1	8	3	8	0	0	4	8	3	3	5	72	
				40	16	8	7	10	0	0	0	0	20	30	14	40	10	0	40	16	0	10	80	30	80	0	0	40	48	30	30	50		649
F	Yakama Police Department	Toppenish	Washington	5	3	3	0	4	1	1	7	0	4	7	9	4	2	3	6	2	0	0	8	6	7	0	0	8	10	7	3	3	113	
				50	24	24	0	40	6	6	70	0	40	70	63	32	20	30	48	16	0	0	80	60	70	0	0	80	60	70	30	30		1019
F	Yakama Police Department	Toppenish	Washington	130	48	32	7	50	6	6	120	0	80	140	105	72	30	30	128	40	0	10	170	120	170	10	0	180	132	130	90	90	235	2126

DRAFT

1003

Appendix F2
Numerical Assessment
of 38 BIA, PL-638, Tribal and Self Governance Facilities

Northwest District Facilities	Nearest City	State	Funding	Policies and Procedures	Staffing	Training	Physical Space	Rehabilitation	Programs & Services	Internal Operations	Transportation	Central Control Station	Booking and Intake	Laundry	Food Services	Healthcare	Outdoor Time	Repairs and Maintenance	Building Site	Sally Port	Emergency Evacuation	Cells	Fire Suppression	Cell Doors	Emergency Backup System	Provisions for Disabled	Interior Building Systems	Hazardous Material	Potential Suicide Elements	Interior Security	Floor Plan Functionality	Raw Score Maximum	Weighted Score Maximum
Raw Score			10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	290	
Weighted Score			100	80	80	70	100	60	60	100	60	100	100	70	80	100	100	80	80	70	100	100	100	100	100	100	100	60	100	100	100	100	2550
G Nisqually Police Department	Olympia	Washington	7	8	8	10	10	9	9	9	7	7	10	6	6	8	6	7	3	6	1	7	9	6	4	10	5	10	3	8	4	203	1760
			70	64	64	70	100	54	54	90	42	70	100	42	48	80	60	56	24	42	10	70	90	60	40	100	50	60	30	80	40		
G Nisqually Police Department	Olympia	Washington	7	7	5	8	7	7	7	4	0	5	5	3	5	4	4	3	3	2	5	6	8	6	0	8	5	7	7	3	8	5	142	1251
			20	56	40	56	70	42	42	40	0	50	50	21	40	40	40	24	24	14	50	60	80	60	0	80	50	42	30	80	50		
G Nisqually Police Department	Olympia	Washington	5	10	7	10	7	10	5	6	1	3	7	5	5	7	3	8	7	54	6	7	9	7	0	10	7	10	5	10	6	237	1985
			50	80	56	70	70	60	30	60	6	30	70	35	40	70	30	64	56	378	60	70	90	70	0	100	70	60	50	100	60		
G Nisqually Police Department	Olympia	Washington	144	200	160	196	240	156	126	190	48	150	220	98	128	190	130	144	104	434	120	260	260	190	40	280	170	162	110	260	150	502	4996

Appendix G

Integrated and Structured Replacement Tiered Facilities

An integrated and structured, replacement tiered facilities master plan has been developed to uniquely address the need for facilities to provide justice services for the safety, and security in Indian Country..

Appropriate justice services provided at the facilities fall into three tiers, that are not necessarily tiered by the severity of the crime or the need of security; rather, by the expected function that they are expected to serve within the structure of the sovereign Indian community, agreements, obligations and understandings of the past, and their relationship to the federal justice system.

Tier I facilities will serve as a 'Local Booking and Holding for Transport - 48-hour Detention and Substation Facility'. These facilities will serve remote populations and/or low criminal traffic locations. There are 167 such facilities.

Tier II facilities will serve as a, 'Combination Corrections, Law Enforcement and Court Facility.' These facilities will serve single or multiple tribes with medium populations and/or high criminal traffic. There are 79 such facilities.

Tier III facilities will serve as, 'Regional Corrections and Video Court Facility.' These facilities will serve large populations and single or multiple tribes. These facilities will also serve as a resources and distribution center for the region. There are 16 such facilities.

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

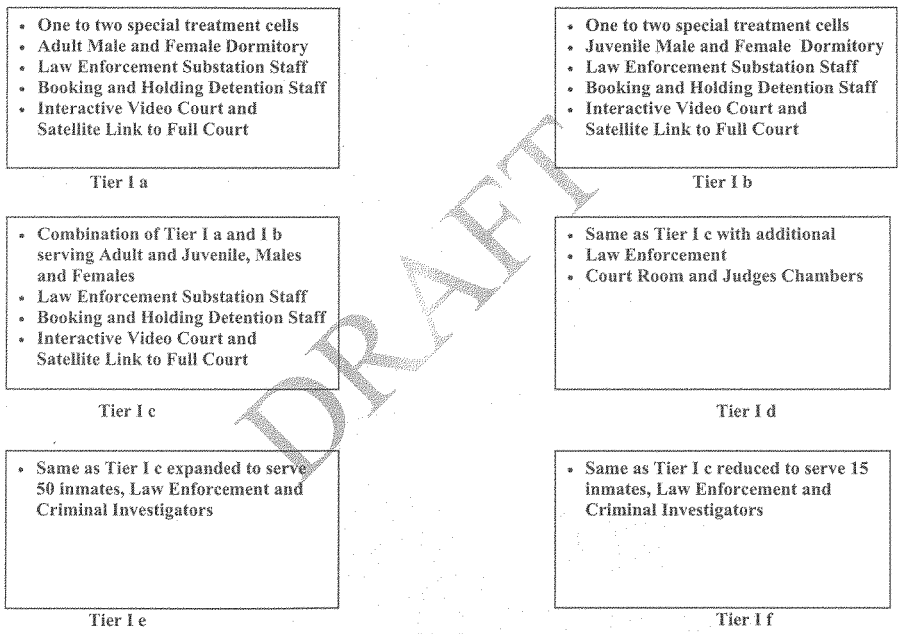
DRAFT

Tier III Facilities
Regional Corrections and Video Court Facility
Facilities serving large populations and/or multiple tribes – Served from Tier II or Tier I
Also Serving as Resources and Distribution Centers for the Region

Tier II Facilities
Corrections, Law Enforcement and Court Facility
Facilities serving medium populations and/or high traffic locations – Serving to Tier III

Tier I Facilities
Local Booking and Holding for Transport 48 Hour Detention and Substation Facility
Facilities serving remote populations and/or low traffic locations – Serving to Tier II

DRAFT



Tier I

Local Booking and Holding for Transport 48 Hour Detention and Substation Facility
Facilities serving remote populations and/or low traffic locations – Serving to Tier II

DRAFT

• **Same as Tier I c reduced to serve 10 inmates, Law Enforcement and Criminal Investigators**	Reserved
Tier I g	**Tier I h – Other**

DRAFT

1008

Tier I - Continued
Local Booking and Holding for Transport 48 Hour Detention and Substation Facility
Facilities serving remote populations and/or low traffic locations – Serving to Tier II

- Special Male/ Female Treatment cells
- Adult Male and Female Dormitory
- Corrections functions
- Law Enforcement functions
- Criminal Investigations functions
- Dispatch functions
- Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 100 to 120 bed capacity

Tier II a serving single Tribe

- Special Male/ Female Treatment cells
- Juvenile Male and Female Dormitory
- Corrections functions
- Law Enforcement functions
- Criminal Investigations functions
- Dispatch functions
- Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 100 to 120 bed capacity

Tier II b serving single Tribe

- Integrated Type II a and Type II b
- Housing both adult and juveniles with sight and sound separation
- Corrections, Law Enforcement, Criminal Investigations, Dispatch and Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 150 bed capacity 120 adults, 30 Juveniles

Tier II c serving single Tribe

- Same as Type II a except
- Only Arraignment Court with Satellite Link to Video Court at Tier I facility in lieu of
- Satellite Link to Video Court at Tier I facility or Full Court

Tier II d serving multiple Tribes

- Same as Type II b except
- Only Arraignment Court with Satellite Link to Video Court at Tier I facility in lieu of
- Satellite Link to Video Court at Tier I facility or Full Court

Tier II e serving multiple Tribes

- Same as Type II c except
- Only Arraignment Court with Satellite Link to Video Court at Tier I facility in lieu of
- Satellite Link to Video Court at Tier I facility or Full Court

Tier II f serving multiple Tribes

Tier II
Corrections, Law Enforcement and Court Facility
Facilities serving medium populations and/or high traffic locations – Serving to Tier III

DRAFT

- Integrated Type II a and Type II b
- Housing both adult and juveniles with sight and sound separation
- Corrections, Law Enforcement, Criminal Investigations, with Satellite Link to Video Court at Tier I facility With no Dispatch or physical Court
- Approximately 100 to 150 bed capacity

Tier II g serving single Tribe

- Integrated Type II a and Type II b
- Housing both adult and juveniles with sight and sound separation
- Corrections, Law Enforcement, Criminal Investigations, Dispatch and Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 50 beds capacity for 40 adults and 10 juveniles

Tier II i serving single Tribe

- Integrated Type II a and Type II b
- Housing both adult and juveniles with sight and sound separation
- Corrections, Law Enforcement, Criminal Investigations, Dispatch and Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 225 beds capacity for 180 adults and 45 juveniles

Tier II k serving single Tribes

- Integrated Type II a and Type II b
- Housing both adult and juveniles with sight and sound separation
- Corrections, Law Enforcement, Criminal Investigations, Dispatch and Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 75 beds capacity for 60 adults and 15 juveniles

Tier II h serving single Tribe

- Integrated Type II a and Type II b
- Housing both adult and juveniles with sight and sound separation
- Corrections, Law Enforcement, Criminal Investigations, Dispatch and Full Court with Satellite Link to Video Court at Tier I facility
- Approximately 25 beds capacity for 20 adults and 5 juveniles

Tier II j serving single Tribes

- Same as Tier II c, but only with Law Enforcement and Court functions
- No Corrections or Rehabilitation functions

Tier II l serving single Tribes

Tier II - Continued
Corrections, Law Enforcement and Court Facility
Facilities serving medium populations and/or high traffic locations – Serving to Tier III

DRAFT

- Special Male/ Female Treatment cells
- Adult Male and Female Dormitory
- Corrections functions
- Satellite Link to Video Court at Tier II facility
- Additional Services as Central Resource and Distribution Center for the region
- Approximately 200 to 250 bed capacity

Tier III a serving single Tribe

- Special Male/ Female Treatment cells
- Juvenile Male and Female Dormitory
- Corrections functions
- Satellite Link to Video Court at Tier II facility
- Additional Services as Central Resource and Distribution Center for the region
- Approximately 200 to 250 bed capacity

Tier III b serving single Tribe

- Integrated Type III a and Type III b
- Housing both adult and juveniles with sight and sound separation
- Corrections functions
- Satellite Link to Video Court at Tier II facility
- Additional Services as Central Resource and Distribution Center for the region
- Approximately 250 bed capacity

Tier III c serving single Tribe

- Same as Type III a
  Except serving multiple tribes

Tier III d serving multiple Tribes

- Same as Type III b
  Except serving multiple tribes

Tier III e serving multiple Tribes

- Same as Type III c
  Except serving multiple tribes

Tier III f serving multiple Tribes

Tier III
Regional Corrections, and Video Court Facility
Facilities serving large populations and/or multiple tribes – Served from Tier II or Tier I

DRAFT

- **Same as Type III c serving multiple tribes**
- **Approximately 100 bed capacity**

Tier III g serving single Tribe

Reserved

Tier III h serving multiple Tribes

DRAFT

Tier III - Continued
Regional Corrections, and Video Court Facility
Facilities serving large populations and/or multiple tribes – Served from Tier II or Tier I

Appendix G 1

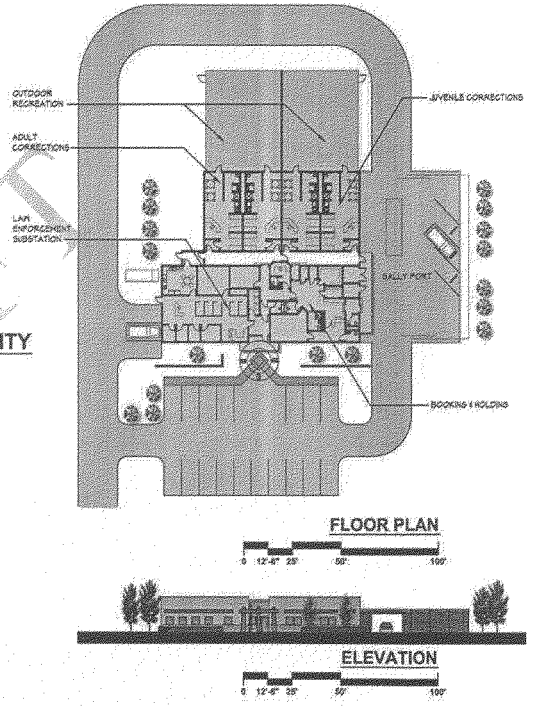
Schematics of Replacement Facilities

The structured development of tiered facilities is an integrated system of facilities to serve multiple functions at multiple locations throughout the country.
These schematics provide the reader with a view of the floor plan and elevations of each of the different tiers. The floor plans indicate the relationships of functionality and traffic pattern within the facility. The elevations depict the exterior of the facility and the relationships of the features at the site. A more detailed description is noted in the text of the report.

DRAFT

DRAFT

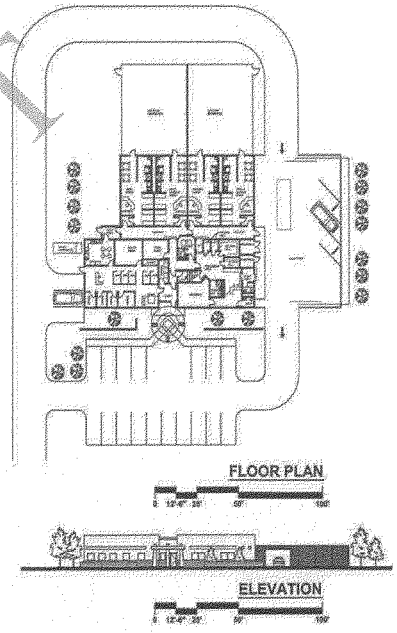
TIER I
REPLACEMENT FACILITY

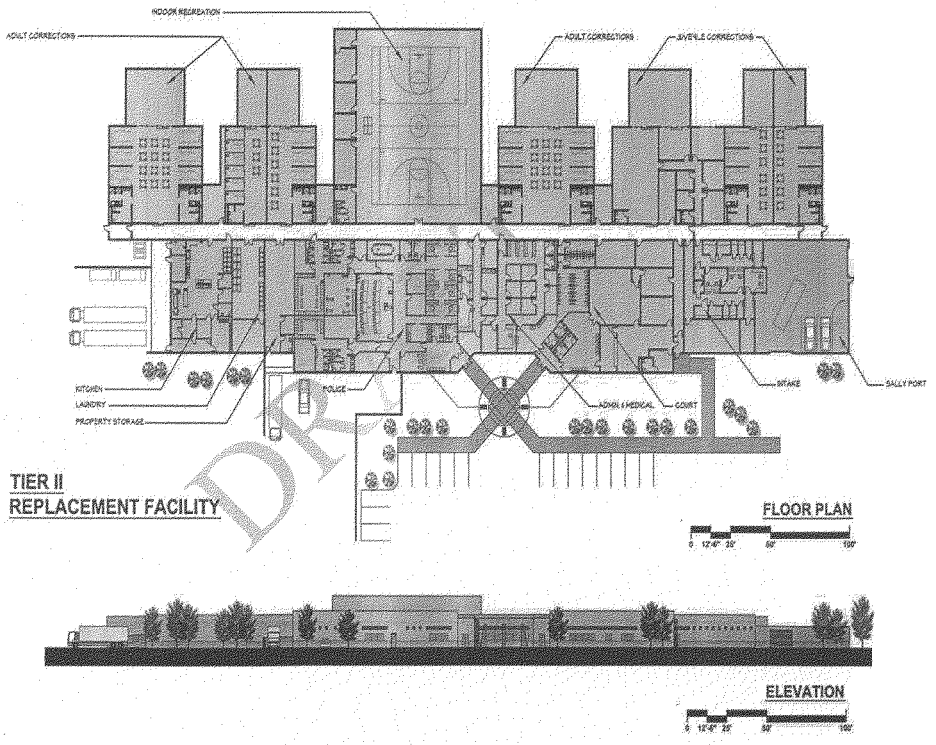


1014

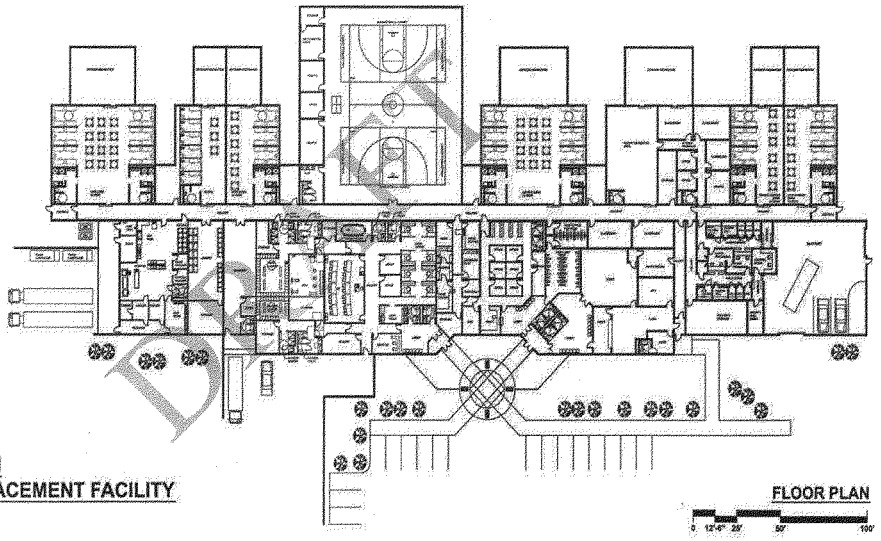
DRAFT

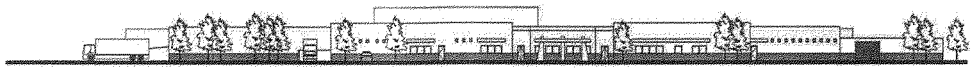
TIER I
REPLACEMENT FACILITY



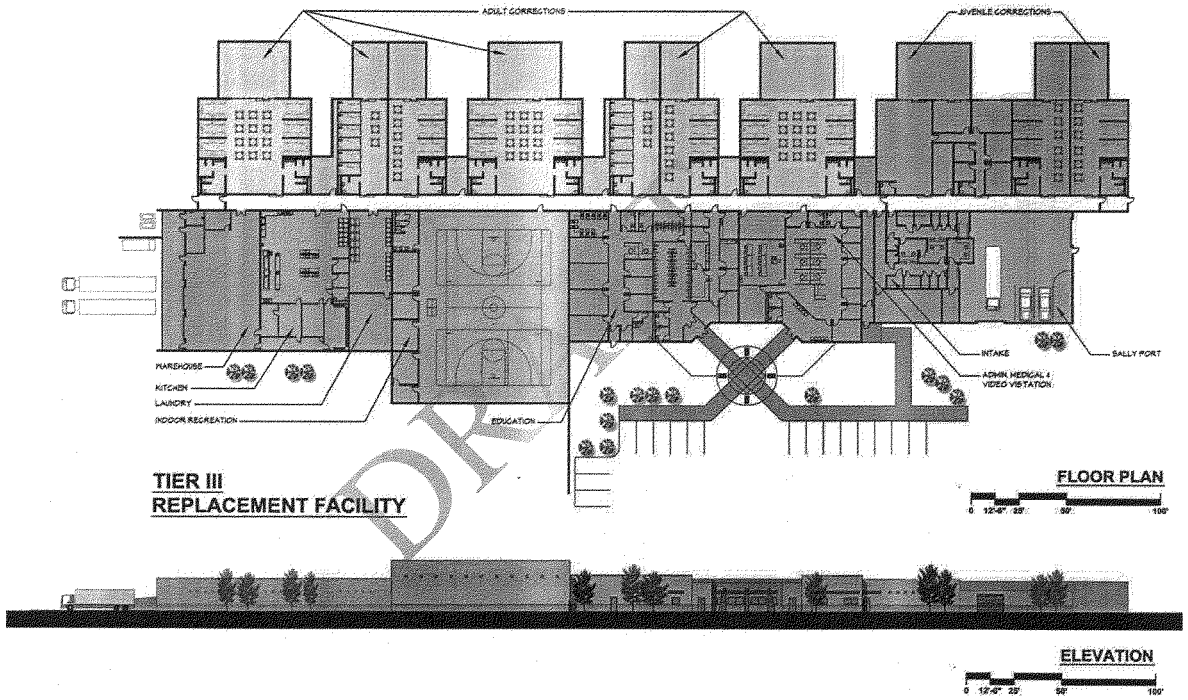

INDOOR RECREATION
ADULT CORRECTIONS
ADULT CORRECTIONS
JUVENILE CORRECTIONS
KITCHEN
LAUNDRY
PROPERTY STORAGE
POLICE
ADMIN & MEDICAL
COURT
INTAKE
SALLY PORT
TIER II
REPLACEMENT FACILITY
FLOOR PLAN
0 12'-6" 25' 50' 100'
ELEVATION
0 12'-6" 25' 50' 100'

DRAFT


TIER II
REPLACEMENT FACILITY
FLOOR PLAN
0 12'-6" 25' 50' 100'

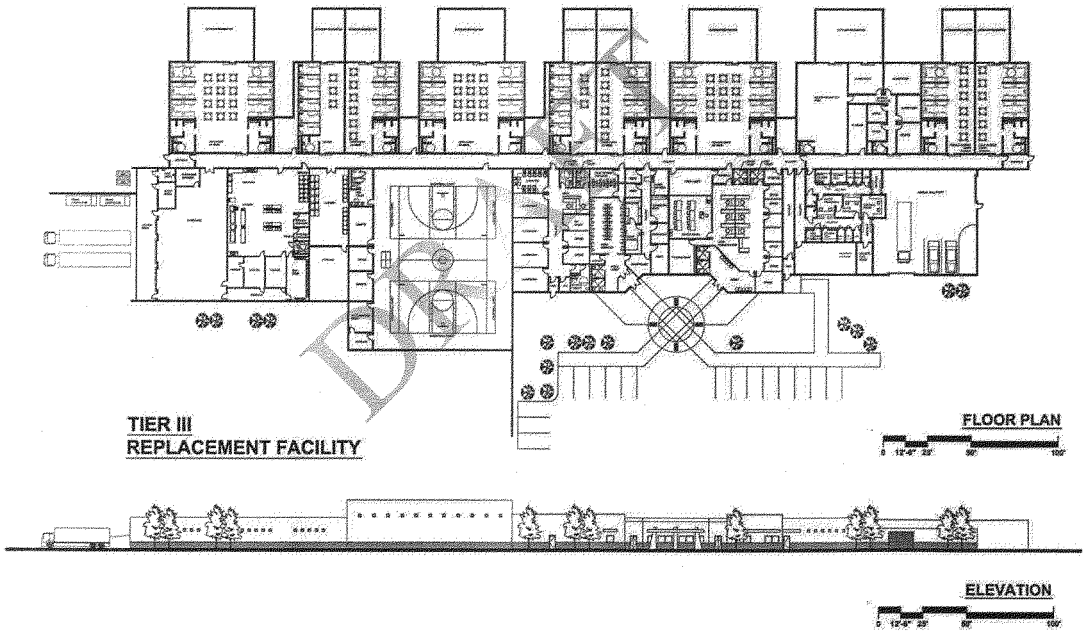

ELEVATION
0 12'-6" 25' 50' 100'

DRAFT


ADULT CORRECTIONS
JUVENILE CORRECTIONS
WAREHOUSE
KITCHEN
LAUNDRY
INDOOR RECREATION
EDUCATION
INTAKE
SALLY PORT
ADMIN, MEDICAL & VIDEO VISITATION
TIER III
REPLACEMENT FACILITY
FLOOR PLAN
0 12'-6" 25' 50' 100'
ELEVATION
0 12'-6" 25' 50' 100'

DRAFT

1018



DRAFT

Appendix G 2

Facilities Construction Criteria

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

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

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

DRAFT

Facilities Construction Criteria

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

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

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

Basic criteria used as a working-document-in-progress, for building construction are as follows:

DRAFT

Building Site	
General	To the maximum extent, select the site for the building that minimizes its impact on the eco-system. Rehabilitate, should there be an impact on the eco-system
	To the maximum extent, select the site for the building that minimizes its impact on the historical and cultural heritage
Protective Bollards	Concrete filled protective bollards to protect keypads at vehicle entry locations
	Concrete filled bollards with flower pots to protect direct vehicle incursions at all facility entry locations
Building Shell	To the maximum extent provide energy efficiencies based on the materials and processes that utilize insulation, solar orientation, daylighting, and passive heating and cooling. Account for such efficiencies
Recycled Material	To the maximum extent, use recycled material for new procurement throughout the project. Account for the quantity of recyclable material that is procured for use on this project
	Reuse to the maximum extent, waste and spoilage that may result from the process of construction of this project. Account for the quantity of such recycled material within the project construction

Interior Construction

Materials	Reduce the quantity of materials that are odorous, irritating and/or harmful to the comfort and well-being of installers and occupants
Partitions	Glazed masonry wall grouted and reinforced
Inmate occupied space	Consistent partition construction Partitions to be constructed of 6" wide reinforced core filled glazed masonry units from the floor deck to the ceiling and reinforced core filled concrete masonry units above to the overhead structural deck; mortar is a Portland cement/lime/sand mix; partitions with glazed faces on both sides are constructed of double width 4" units Base to be an integral coved glazed masonry unit All partitions to be horizontally and vertically reinforced with #4 rebars at 24" on center, and vertically reinforced and tied to the structural floor and overhead slabs All piping and conduit must be fully concealed within the partition or chases
Inmate property space	6" core filled reinforced CMU #4 rebars at 24" on center Structural wall, slab to slab Glazed masonry unit integral coved base
Elevator with inmate occupancy	Match building shell and core construction 6" CMU with outside face to match room requirements (glazed masonry units where required)

Doors

Detention Areas with inmate occupation	Electronic locks, conduit to electronic controls locations 14 gauge, 2" hollow metal steel swinging detention door, factory primed and field painted

DRAFT

	5" x 20" vision panel with laminated security glass in all doors separating two occupied spaces
	View scope in lieu of vision panel for isolation and juvenile holding cells
	14 gauge metal frame, securely anchored via welded connection into the partition and fully grouted frame, that is factory primed and field painted
	Maximum security electro-mechanical deadlatch with door position and latch keeper sensor connected to the command and control center, electronic monitoring equipment, associated control wiring and control console
	Full mortised bearing detention grade hinges
	Integral sound gaskets at soundlocks, sallyports through cellblock perimeters, and isolation holding cells
Holding Cell at Main cellblock and Court Holding	Doors to swing out from cells or occupied space
	Door to have metal grille door with 10 gauge, 1 ¾" stainless steel tubular construction with ¼" diameter type 304 wire woven steel rod panel in 2" diamond pattern mesh
	Tubular 10 gauge metal door frame jamb and head
	Medium security mortise type bearing hinges
	Jamb mounted electro-mechanical operated dead latch, associated electronic control wiring to control console
	Door position and latch keeper switches monitored at the command and control room, electronic monitoring equipment, associated wiring to control console
	Food/Cuff port at center rail, and leg shackle port at the bottom rail of the door locks on each pass
Attorney side of inmate–attorney Visitation room	Solid core 1 ¾" hardwood veneer door: 3'-0" x 7'-0"
	Vision Panel 5" x 20" with laminated security glass in all doors separating the two occupied spaces
	Welded metal frames 16 gauge
	Hardware to be latch-sets with levers

DRAFT

	Frame and threshold sound gasket
Vehicle door at Sallyport	Solid slat automatic overhead insulated coiling door
	Urethane-fill insulation
	Double wall slats, 20 gauge steel
	Post mounted scramble pad operation, post, power and conduit, keypad control equipment and wiring
	Conduit and power for photoelectric beam sensors and associated equipment and wiring
Egress Stair Door	Security type hollow metal door and frame, 14 gauge
	Keypad and remote control from command and control room, with fail-secure electric strike connected to the fire alarm system through electronic control wiring to the control console Door position and lock keeper switch monitored at the command and control console, associated electronic monitoring equipment and wiring to the control console
	Automatic door closers

Interior Glazing and Grilles

Cell Grilles	Grilles to have 1 ¾" 10 gauge stainless steel tubular construction with ¼" diameter, type 304 wire woven steel rod panel in 2" diamond pattern mesh
Attorney/Inmate Visitation	Grilles to be comprised of tubular frame with wire mesh cloth, frame to be woven type 13 gauge stainless steel tubular construction, with #304 wire woven 1/2" mesh cloth
Vision Panel at Command and Control	Ballistic resistant UL 752 Level Four laminated safety glass and polycarbonate panel
	Metal Frame 14 gauge

DRAFT

Specialties

Handrails - Secure Egress stairs	Match building shell and core construction
Toilet Accessories	Security type grab bars at showers and toilets
	Toilets to have one-piece modesty panel of 13 gauge stainless steel plate on tub frame securely mounted to floor and partition
	Integral recessed toilet paper holder
	Corrections type stainless steel mirror
	Collapsible corrections type coat hooks
	ADA AG compliant corrections grade grab bars

Interior Finishes

Paints, Coatings Wood and Carpeting	Maximize the use of low-emitting materials to prevent incursion of emitting air contaminants in indoor air
Walls-general	Glazed masonry units
Floors-general	Terrazzo
Floors - Court Holding Soundlock Vestibule	32 oz rolled carpet
	Yarn dyed color
	Fourth generation nylon yarn
	Bonded construction with cushion back
Floors Vehicle Sallyport	Sealed concrete structural slab
Ceiling-general	Acoustical-secure corrections ceiling in administration
	14 gauge perforated stainless steel with fiberglass acoustical insulation
Ceiling-inmate occupied	Painted exposed structural slab
Ceiling-Sallyports	Painted exposed structural slab

DRAFT

Elevators

Secured Elevator	Shaft to match building shell and core
	6' x 9' split cab with 3' door side chamber for officer
	Side opening
	Keycard controls
	Elevator door face to be 14 gauge stainless steel
	Cab floor to be 3/16" stainless steel checkered plate
	Internal divider screen and sliding divider door to be stainless steel wire mesh on 13 gauge stainless steel tubular framing members
	Cab panels to be 18 gauge stainless steel over plywood substrate
	Cab ceiling to be 12 gauge stainless steel plate with access hatch above 3'-0" front chamber
	Conduit, junction boxes and power for CCTV camera mounting in officer chamber and all associated equipment and wiring to central security control panel
	Conduit, junction boxes and power for Duress/Intercom at the cab and all associated equipment and wiring to the central elevator control panel
	Conduit, junction boxes, and power for one telephone in the cab and all associated equipment and wiring to the central communications panel
	All central control panels to be co-located in the command and control center

Plumbing

Water and Wastewater Efficiency	To the maximum extent, use water and waste-water efficiency. Account for the efficiency created by the plumbing fixtures, process controls, and the use of recycled water and wastewater

DRAFT

Processing	Shower to be ADA compliant, corrections 14 gauge stainless steel with recessed soap dish and fixed, corrections type showerhead
	Self priming floor drain with a corrections type cover plate
	Single bowl type 304 stainless steel sink at processing counter and gooseneck faucet with lever wrist control
	Hot and Cold water supplied by a point-of-use water heater
Sallyports and Corridors	Self priming floor drain with security cover
Inmate cells	Separate lavatory and toilet fixture of 14 gauge stainless steel
	Lavatory to have a corrections metered faucet with a drinking spout
	Toilet to have an integral seat, trap and blow-jet operation with concealed valves with anti-flood feature
	Self-priming floor drain with security cover
Vehicle Sallyport	Floor drain with tamper-proof cover and oil interceptor
	Recessed hose bibb with keyed cover plate

HVAC System

Energy Efficiency	To the maximum extent, provide energy efficiency for all equipment and processes. Account for the use of such products and processes
Building Energy Simulation	Demonstrate the percentage improvement in the building performance rating compared to the baseline building performance rating per ASHRAE/IESNA
Air Quality	To the maximum extent provide for monitoring the air quality of the outdoor air delivered and the indoor air exhausted. Manage refrigerants to minimize ozone depletion
Ventilation	Maximize outdoor air ventilation to improve indoor air quality

DRAFT

Air Distribution System

Air Handling System	Air Handling Units (AHUs) are a part of the building shell and core provisions
	New spare filters for the first year of operation, beginning with a new filter after completion of the start-up process
	The main cell block is served by the Air Handling Unit on that level
	Cellblock area is a separate zone
Air Supply	Negative pressure relative to surrounding occupancies with cells negatively pressurized relative to secure corridors
	Maximum security supply air and return air grilles
	#9 bars at 5" on center horizontal and vertical grilles in ductwork when such ductwork passes through partitions
Exhaust Air	100% exhaust air for all holding areas, with exhaust system interlocked with supply system
	Cooling and heat reclaim exchanger prior to exhaust of tempered air
	Switched 100% exhaust from shower
Vehicle Sallyport	100% exhaust air, with carbon monoxide detection system, maximum security detention grille cover
	Cooling and heat reclaim exchanger prior to exhaust of tempered air
Thermostat Controls	Thermostat controls will be at the command and control center. Automated controls with manual overrides to affect maximum energy efficiency
HVAC Control Panel	All HVAC Central Control Panel to be co-located with other central control panels in the command and control center

DRAFT

Fire Protection

Fire Suppression	Sprinkler system is a part of the building shell and core provisions. Corrections type vandal resistant heads and covers on wet pipe system. No sprinkler heads inside holding cells
	Fire and smoke dampers to be provided in rated walls
Fire and Smoke detection	One smoke and heat detection device in each occupiable space (provide such device in return air duct in holding cells)
Fire Alarms	Audible and visible (strobe) alarm with tamper proof covers
	Manual pull stations in corridors, sallyports, processing, vehicle sallyport
Fire Protection and Fire Alarm Control Panel	Central Control Panel for Fire Protection and Fire Alarm to be co-located with other central control panels in the command and control center

Electrical

Energy Efficiency	To the maximum extent, provide energy efficiency for all equipment, fixtures and processes. Account for the use of such products and processes
Site Generated Electric Power	To the maximum extent, provide electric power that is generated at the site. Use renewable energy sources. Use as appropriate: photovoltaics, wind generators, hydroelectric, peak-demand generator power, and co-generation with local waste products. Account for such energy-efficiencies
Service – General	Emergency electrical power service to all areas within the facility
	Control Panel for the Emergency generator will be co-located with other central control panels at the command and control center
	Control Panel for the Emergency generator will also be located near the generator

DRAFT

Control Panels	Coordinate to assure that all central control panels are co-located at the command and control center. These central control panels include: Central Lighting Control Panel, Central HVAC Control Panel, Central Communications Panel, Central Elevator Control Panel, Central Fire Protection and Fire Alarm Control Panel and Central Doors, Cameras and Security Control Panel. Coordinate with all disciplines to assure ergonomic and accessible controls at the command and control center
Electrical Outlets	
Processing	GFCI quadraplex outlet 12" on-center on counter backsplash or above backsplash, with dedicated circuit for each quadraplex
	Minimum of 4 quadraplexes with corrections type, vandal resistant covers
Vehicle Sallyports	Two GFCI duplex electrical outlets
Lighting	
General	Minimize exterior lighting pollution by using appropriate light fixtures for all exteriors
	Lamps and light fixtures to provide maximum energy efficiency in the lighting output and lighting controls
	Lighting Controls for exterior and interior lighting to provide maximum energy efficiency
	Central Lighting Control Panel to be co-located with the Central HVAC Control Panel, Central Communications Panel, Central Elevator Control Panel, Central Fire Protection and Fire Alarm Control Panel and Central Doors, Cameras and Security Control Panel.
	All lighting on backup emergency power
	Recessed security lighting with 14 gauge steel housing, polycarbonate lens, keyed controls. Minimum of one light fixture for every 80 square feet in corridors, sallyports and storage. Minimum of one fixture in inmate occupied cells with touchpad controlled night-light within the same light fixture

DRAFT

	Vehicle sallyport	Recessed parabolic metal halide light fixtures for every 150 square feet
		Light control to include keyed switches located at entrance from cell block / secured elevator and remote control from command and control center
Telephone and Communications		Conduit and raceways for services and distribution from the service location to all parts of the facility and site
	Processing	Conduit and junction boxes for two telephone outlets and four modem telephone outlets and associated wiring and equipment
		Conduit, junction boxes, equipment and cabling for four Local Area Network (LAN) points
	Elevator-Secured	Conduit and junction boxes for Intercom / Duress button at elevator control panel, interconnecting conduit and wiring between the control panel and the elevator equipment room and all equipment and wiring to alarm the emergency response center
		Conduit, equipment and associated wiring for telephone in each elevator cab
	Special Management Cells	Conduit, junction boxes equipment and associated wiring for video teleconferencing connections in isolation cells
	Central Communications Control Panel	Central Communications Control Panel to be co-located with other central control panels in the command and control center
Security Systems		
	General	Conduit, junction boxes and power and cable connections to each element of the security system
	Central Security Systems Control Panel	Central Security Systems Control Panel to be co-located with other central control panels in the command and control center
	Processing	Conduit, junction boxes, equipment and wiring for all CCTV cameras located at 8'-4" above finished floor or as specifically directed for mounting.

DRAFT

	Conduit, junction boxes, equipment and wiring for door control systems. Associated conduit, equipment and wiring at the Command and Control Center
Inmate Cells	Conduit, junction boxes, power and cable connections to CCTV camera locations located outside the cells and looking into the cells
	Conduit, junction boxes, power and cable connections for the Intercom / Duress alarm in each cell
	Conduit, junction boxes, equipment and wiring for door control systems. Associated conduit, equipment and wiring at the Command and Control Center
Vehicle Sallyports	Conduit, junction box and post for scramble keypad and intercom at vehicle entrance
	Conduit, junction boxes, equipment and wiring for door control systems. Associated conduit, equipment and wiring at the Command and Control Center
	Conduit, junction boxes, mounting brackets, weather resistant enclosures, power and cabling for exterior cameras
	Conduit, junction boxes, wiring for imbedded loop detector systems. Associated conduit, equipment and wiring at the Command and Control Center
	Conduit, junction boxes, mounting brackets, enclosures, power and cabling for interior cameras
	Conduit, junction boxes, mounting brackets, enclosures, power and cabling for photoelectric beam sensors
	Conduit, junction boxes, mounting brackets, enclosures, power and cabling for passive infrared volumetric motion detector and sensors
	Conduit, junction boxes, mounting brackets, enclosures, power and cabling for Intercom / Duress alarm and scramble pad at the interior of the vehicle door

DRAFT

Furnishings

Casework

Processing	AWI Custom grade plastic laminate base cabinets
Holding Cells	13 gauge stainless steel bench securely anchored to the partitions and floor
Attorney / Inmate Visitation	1' 0" deep each side, interview shelf of 16 gauge stainless steel

Fixed Furniture

Processing	Furniture to be securely bolted to the floor and walls
	Desks to be securely bolted to the floor and walls
	Staff Stools
	Stainless steel stools for inmates
Attorney / Inmate Visitation	Stainless steel stools

DRAFT

Appendix H
Replacement Facility Requirements

Appendix H is a follow-up of Appendix G which presented the Integrated and Structured planned Replacement of Tiered facilities. The appendices H1, H2, H3 and H4 and H6 provide a cumulative assessment of existing conditions in the justice system. Prior appendices B, C, D, E and F provided an assessment of the programs and facilities of a sampling of Tribal, PL 638, Self Governance and BIA facilities.
These appendices B, C, D, E, F, G, lead into these appendices which in H5 presents the requirements for the planned replacement facilities and Capacity Upgrade of existing facilities.

Appendix H 1 – Service Calls and Arrests in 24 hour period
This appendix tabulates the number of service calls received in a 24 hour period. Note the striking disproportionate number of arrests that are made for the number of calls that are received in the 24 hour period.

Appendix H 2 – New Bookings and Already Housed Inmates
Once arrested, inmates are booked and/or released based on available food and bed space. Typically already housed inmates are released to make room for new arrivals. Often the numbers of new arrivals overwhelm the available capacity making for a high turnover rate. An unwritten understanding of either not arresting, not booking, housing for a few hours, or not housing at all is prevalent – to circumvent appropriate available housing for inmates.

Appendix H 3 – Under-reported Inmate Over-crowding, one-day sampling
Number of inmates housed often exceeds the bed capacity, at times of up to five times the capacity. Consent court decrees are often violated. Inmates are often released at dawn, before the formal inmate count is taken. Number of inmates housed is often under-reported to management for fear of a potential closing down of a facility.

Appendix H 4 – Jails in Indian Country operating above 150% of Capacity on the peak day during June 2004
This appendix is a reference from the U. S. Department of Justice, Bureau of Justice Statistics, Bulletin, "Jails in Indian Country, 2004" November 2006, NCJ 214257.
As of September 12, 2007, Mr. Todd D. Minton of the DOJ, indicated that they do not have more information that is more recent than that provided in this reference.

Appendix H 5 – Replacement Facility Requirements 2007 – 2017
This appendix tabulates the needs for replacement facilities to replace the existing facilities over the next ten years for needs in Indian Country. These facilities are expected to last over the next forty years or more.

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

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

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

Appendix H 6 – Crime Statistics 2007
This appendix provides crime rate for 1) Violent Crime, 2) Property Crime and 3) All Other Crime. The Crime Rate per 100,000 inhabitants is very high. This data does not include about 50% unrecorded/released offenders and yet another 25% offenders held back by the judges.

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

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

The data includes 68% or 164 agencies that reported.

The physical locations of the Deferred Repairs and Maintenance facilities, Capacity Upgrades facilities, and planned Tiers I. II and III facilities are mapped out in Appendix O and their initial capital costs, facilities' operations and maintenance costs and Program costs are noted in Appendix N.

Appendix H 1
Service Calls and Arrests in 24 hour period

BIA Facility #	Existing Justice Facilities	District	Location	Tribes Served	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Jun-06	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Jul-06	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Aug-06	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Sep-06	Maximum Number of Arrests in one 24 hour period Jun-06	Maximum Number of Arrests in one 24 hour period Jul-06	Maximum Number of Arrests in one 24 hour period Aug-06	Maximum Number of Arrests in one 24 hour period Sep-06
36	Fort Totten Law Enforcement Center/Adult Det	1	Fort Totten, ND	Spirit Lake Sioux Tribe	48	44	45	52	25	40	29	44
83	Anadarko Law Enforcement	2	Anadarko, OK	Apache, Ft. Sill, Caddo, C	5	5	5	5	1	2	6	3
85	Commanche Tribal Police Department	2	Lawton, OK	Comanche & Arapaho Tri	31	27	33	29	2	2	4	2
86	Concho Agency Law Enforcement	2	Concho, OK	Cheyenne & Arapaho Tri	4	8	6	6	3	3	1	2
90	Absentee Shawnee Police Department	2	Shawnee, OK	Absentee-Shawnee Tribe	5	5	5	5	2	2	1	2
93b	Sac & Fox Police Department	2	Stroud, OK	Sac & Fox Tribe & Kicka	6	26	11	22	2	8	4	5
96	Ponca Police Department	2	Ponca City, OK	Ponca Tribe of Oklahoma	20	20	20	20	5	5	5	5
98	Iowa Tribal Police Department & Holding	2	Perkins, OK	Iowa Tribe	270	199	223	215	1	0	1	0
100	Fort Oakland Police Department	2	Tonkawa, OK	Tonkawa Tribe	7	7	8	7	6	4	6	3
101	Otoe-Missouria Tribal Police Department	2	Red Rock, OK	Otoe-Missouria Tribe of O	5	5	5	5	1	4	1	1
103	Pawnee Tribal Police Department	2	Pawnee, OK	Pawnee Tribe of Oklahom	10	9	8	8	0	0	0	0
104	Miami Law Enforcement (Tribes: E. Shawnee	2	Miami, OK	Seneca Cayuga, Ottowa, I	6	12	4	7	3	2	6	7
106	Muscogee Creek Nation Police Department	2	Okmulgee, OK	Creek Nation of Oklahom	99	91	125	106	2	1	1	1
108	McAlester OIS-Investigations	2	McAlester, OK	All Indian Tribes in Easte	16	6	10	8	0	0	0	0
110	Choctaw Nation Tribal Police Department	2	Durant, OK	Choctaw Nation of Oklah	2	2	2	2	3	3	2	2
112	Iowa Tribe of Kansas Police Department	2	Whitecloud, KS	Iowa Tribe of Kansas & N	176	207	123	153	1	0	1	2
117	Hopi Law Enforcement/Adult Detention* (see	3	Keams Canyon, AZ	Hopi Tribe	35	46	36	32	17	24	13	18
121	Haulapai Juvenile-pending final inspec	3	Peach Springs, AZ	Hualapai Nation	5	10	4	5	4	4	3	3
133	San Carlos Criminal Investigations	3	San Carlos, AZ	San Carlos Apache	3	6	3	3				1

Appendix H 1
Service Calls and Arrests in 24 hour period

LE Facility #	Existing Justice Facilities	District	Location	Tribes Served	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Jun-06	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Jul-06	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Aug-06	Maximum Number of Calls received for Law Enforcement services in one 24 hour period Sep-06	Maximum Number of Arrests in one 24 hour period Jun-06	Maximum Number of Arrests in one 24 hour period Jul-06	Maximum Number of Arrests in one 24 hour period Aug-06	Maximum Number of Arrests in one 24 hour period Sep-06
139	Yavapai Prescott Tribal Police Department	3	Prescott, AZ	Yavapai Prescott Indian T	20	33	28	26	2	3	4	3
152	Cocopah Tribal Police Department	3	Somerton, AZ	Cocopah Tribe of Arizona	23	17	20	26	2	2	2	2
192a	Chief Ignacio Justice Center - Adult	4	Towaoc, CO	UMU & Regional	20	20	23	22	11	8	8	9
192b	Chief Ignacio Justice Center - Juvenile	4	Towaoc, CO	UMU & Regional	6	1	1	3	6	1	1	3
193	Southern Ute Police Department & Detention C	4	Ignacio, CO	So Ute & Regional Contra	28	26	15	49	2	0	1	0
196	Laguna Criminal Investigations	4	Laguna, NM	Pueblo of Laguna	1	1	1	1	0	0	1	1
198	Acoma Tribal Police Department & Holding Ce	4	Acomita, NM	Pueblo of Acoma	55	67	33	23	5	4	7	5
199	Ramah Police Department & Adult Detention	4	Ramah, NM	Ramah Navajo	12	15	15	13	9	7	8	8
203	Southern Pueblos Agency Law Enforcement	4	Albuquerque, NM	Zia, San Felipe, Cochiti, S	12	14	15	8	5	5	8	8
205	Jemez Tribal Police Department & holding	4	Jemez Pueblo, NM	Pueblo of Jemez					10	8	4	6
208	Isleta Tribal Tribal Police Department & Jail	4	Isleta, NM	Pueblo of Isleta	28	30	33	27	6	7	6	6
209	Sandia Tribal Police Department	4	Bernalillo, NM	Pueblo of Sandia	13	19	24	25	3	8	2	5
210	Northern Pueblos Agency Law Enforcement	4	San Juan Pueblo, N	San I, Picuris, Nambe, SF	10	14	16	12	11	3	5	8
211	Taos Tribal Police Department	4	Taos, NM	Pueblo of Taos	12	8	8	9	3	4	4	4
212	Pojaoque Tribal Police Department	4	Pojaoque, NM	Pueblo of Pojaoque	15	12	7	15	4	5	4	4
213	San Juan Tribal Police Department & Criminal	4	San Juan Pueblo, N	Pueblo of San Juan	25	25	20	20	2	3	4	4
217	Mescalero Adult Detention	4	Mescalero, NM	Mescalero Apache Tribe	0	0	0	0	0	0	0	0
218	Mescalero Law Enforcement	4	Mescalero, NM	Mescalero Apache Tribe	58	48	55	55	4	8	7	7
219	Ysleta Del Sur Tribal Police Department	4	El Paso, TX	Ysleta Del Sur Pueblo	12	8	15	10	0	0	0	0
220	Navajo Nation - Window Rock Adult Detention	4	Window Rock, AZ	Navajo Nation	3569	4145	3581	3867	832	955	849	1041
228	Navajo Nation - Shiprock Police Department &	4	Shiprock, NM	Navajo Nation	207	141	85	101	21	11	14	14
235	Navajo Nation - Crownpoint Law Enforcement	4	Crownpoint, NM	Navajo Nation	379	444	257	360	35	50	51	52
251	Navajo Nation - Tuba City Police Department &	4	Tuba City, AZ	Navajo Nation	173	189	136	135	36	35	24	28
256	Navajo Nation - Kayenta Law Enforcement & A	4	Kayenta, AZ	Navajo Nation	168	181	88	142	26	36	23	29

Appendix H 2
New Bookings in addition to already Housed Inmates at Justice Facilities
October 2007

I.E. Facility #	Existing Justice Facilities	District	Location	Tribes Served	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Jun-06	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Jul-06	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Aug-06	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Sep-06
8	Winnebago Law Enforcement	1	Winnebago, NE	Winnebago, Omaha, San Sioux	3	9	6	5
9	Omaha Nation Police Department & Adult Detention	1	Macy, NE	Omaha Tribe of Nebraska	27/51 w/occpd bed	23/ 39/w occpd bed	21/46 w/occpd beds	18/34 w/occpd beds
10	Sisseton-Wahpetos Law Enforcement Center/Adult Detenti	1	Agency Village, SD	Sisseton-Wahpeton Sioux	21	4	19	16
14	Standing Rock Juvenile Det-pre-constr phase	1	Fort Yates, ND	Standing Rock Sioux	14bkd/44	18bkd/40	11bkd/43	12bkd/50
15a	Cheyenne River Police Dept. & Adult Detention (Walter Mi	1	Eagle Butte, SD	Cheyenne River Sioux	23	21	22	25
15b	Cheyenne River Tribe's Walter Miner Juvenile Detention	1	Eagle Butte, SD	Cheyenne River Sioux	8	9	11	7
19	Oglala Sioux Tribe - Pine Ridge Police Dept. & Detention	1	Pine Ridge, SD	Oglala Lakota Nation	66	66	92	73
21	Oglala Sioux Tribe - Medicine Root PD. & Adult Detention	1	Kyle,SD	Oglala Lakota Nation	52	67	49	68
22	Oglala Sioux Tribe's Ki Yuksa O'spi Reintegration Center	1	Kyle,SD	Oglala Lakota Nation	19	13	15	24
35	Rosebud Sioux-Wanbli Wiconi Tipi Detention Juvenile	1	Rosebud, SD	Rosebud Sioux	6 booked/31 total	8 booked/51 total	8 booked/41 total	5 booked/51 total
36	Fort Totten Law Enforcement Center/Adult Detention	1	Fort Totten, ND	Spirit Lake Sioux Tribe	25	40	29	44
39	Turtle Mountain Law Enforcement Center/Adult Detention	1	Belcourt, ND	Turtle Mountain Chippewa	36	36	32	42
44	Gerald Tex Fox Justice Center - Adult	1	New Town, ND	3 Affil Tribes (Man,Hid,Arik)	45	46	60	46
55a	Red Lake Tribal Criminal Justice Center/Detention Services	1	Red Lake, MN	Red Lk Band of Chipp/Ojibwe	63	66	76	87
55b	Red Lake Juvenile Detention Center	1	Red Lake, MN	Red Lk Band of Chipp/Ojibwe	15	9	15	7
64	Sault Ste. Marie Tribal Youth & Police SateBite Ofc	1	St. Ignace	Sault Ste. Marie Chipp/Ojibwe	19	16	21	25
69	Lac Vieux Desert Police Department & Holding facility	1	Watersmeet, MI	Lac Vieux Desert Band of Lake Superior Chippewa	4	8	8	5
73	Menominee Police Department & Tribal Detention	1	Keshena, WI	Menominee Indian Tribe	7	12	12	78
	Saginaw Chippewa Tribal Police Department	1	Mt. Pleasant, MI	Saginaw Chippewa Tribe	8	6	24	8
117	Hopi Law Enforcement/Adult Detention* (see Navajo)	3	Keams Canyon, AZ	Hopi Tribe				
118	Truxton Canon Adult Detention Center	3	Peach Springs, AZ	Hualapai, Havasupai & Yavapai, Tonto, Prescot Apach	27 booked/78 housed	14 booked/92 housed	13 booked/80 housed	29 booked/93 housed
122	Colorado River Agency Criminal Investigations	3	Parker, AZ	Chemehuevi, Colorado River, Fort Mohave & Cocopai	8 booked/38 housed	11 booked/39 housed		
132	Whiteriver Tribe Police Department/Adult Detentions	3	Whiteriver, AZ	White Mountain Apache	28 book/57 house/ 85 tota	25 book/88 house/113 tota	29 book/48 house/67 total	39 book/62 house/101 tota
134a	San Carlos Department of Corrections & Rehabilitation-Adi	3	San Carlos, AZ	San Carlos Apache Tribe	18 booked/84 housed	19 booked/100 housed	21 booked 102 housed	22 booked/79 housed
134b	San Carlos Department of Corrections & Rehabilitation-Juv	3	San Carlos, AZ	San Carlos Apache Tribe	3 booked/ 8 housed	3 booked/11 housed	3 booked/ 21 housed	5 booked/20 housed
143	Gila River Tribal Police & Dept. Corrections & Rehabilitati	3	Sacaton, AZ	Gila River Indian Comm.	10 booked/174 housed	11 booked/163 housed	9 booked/166 housed	10 booked/174 housed
144	Gila River Juvenile Detention Center	3	Sacaton, AZ	Gila River Indian Comm.	5 booked/56 housed	6 booked/36 housed	4 booked/55 housed	4 booked/42 housed
153	Tohono O'Odham Tribal Police Department/Adult Detention	3	Sells, AZ	Tohono O'Odham Nation	11 booked/136 housed	6 booked/134 housed	8 housed/145 housed	6 booked/155 housed
162	Pascua Yaqui Police Department & Holding facility	3	Tucson, AZ	Pascua Yaqui Nation	5 booked/41 housed	7 booked/49 housed	3 booked/40 housed	4 booked/41 housed
165	Duck Valley Juv. Service Center-pending agreement w/ trib	3	Oywhee, NV	Battle Mtn, Ely, Elko, Wells, Duck Valley, Duckwater	13	15	12	19
190	Uintah & Ouray Law Enforcement &Detention	3	Fort Duchesne, UT	Ute Indian Tribe & Skull Valley Goshute Tribe	7 booked/ 24 housed	6 booked/23 housed	7 booked/22 housed	8 booked/15 housed

Appendix H 2
New Bookings in addition to already Housed Inmates at Justice Facilities
October 2007

LE Facility #	Existing Justice Facilities	District	Location	Tribes Served	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Jun-06	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Jul-06	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Aug-06	Maximum Number of Bookings in addition to already occupied beds in one 24 hour period Sep-06
208	Isleta Tribal Tribal Police Department & Jail	4	Isleta, NM	Pueblo of Isleta	5	7	6	7
268	Blackfeet Law Enforcement & Adult Detention	5	Browning, MT	Blackfeet Tribe	22/24 = 46	31/45 = 76	21/28 = 49	35/29=64
274	White Buffalo Youth Detention Center	5	Browning, MT	Blackfeet Tribe	9/16 = 25	17/29 = 46	8/14 = 22	3/12 = 15
275	Flathead Police Department-Detention Center	5	Pablo, MT	Confederated Salish & Kootenai Tribes	9/21 = 30	13/24 = 37	11/23 =34	7/18 = 25
277	Rocky Boy Police Department-Detention Center	5	Box Elder, MT	Chippewa Cree Tribe	18/22 = 40	13/15 = 28	32/42 = 74	14/16 = 30
278	Fort Belknap Police Department	5	Harlem, MT	Gros Ventre & Assiniboine Tribes	7 booked	23 booked	17 booked	6 booked
279	Fort Peck Indian Juvenile Services Center	5	Poplar, MT	Assiniboine & Sioux Tribe	5/12 = 17	4/16 = 20	8/19 = 27	8/17 = 25
280	Fort Peck Police Department Adult Detention	5	Poplar, MT	Assiniboine & Sioux Tribe	13/33 = 46	14/29 = 43	17/55 = 72	22/54 = 76
281	Fort Pack Transitional Living Unit	5	Poplar, MT	Assiniboine & Sioux Tribe	1/5 = 6	2/3 = 5	0/1 = 1	6/7 = 13
285	Crow Adult Detention Facility	5	Crow Agency, MT	Crow Tribe	27/38 =65	21/20 = 41	58/44 = 102	16/21 = 37
287	Northern Cheyenne Adult Detention	5	Lame Deer, MT	Northern Cheyenne Tribe	28/57 = 85	32/59 = 91	19/58 = 77	29/61 = 90
290	Northern Cheyenne Youth Services Center	5	Busby, Mt	Northern Cheyenne & Crow	3/15 = 18	17/34 = 51	18/34 = 52	19/37 = 56
291	Wind River Law Enforcement/Adult Detention Center	5	Fort Washakie, WY	Shoshone & Arapaho Tribes	20/44 = 64	17/34 = 51	18/34 = 52	19/37 = 56
293a	Fort Hall Police Department Adult Detention	5	Fort Hall, ID	Shoshone-Bannock Tribe	23/33 = 56	26/32 = 58	47/52= 99	18/27 = 45
293b	Fort Hall Juvenile Detention Center	5	Fort Hall, ID	Shoshone-Bannock Tribe	4/4 = 8	6/6 = 12	17/17 = 34	0
297	Spokane Law Enforcement Center/Adult Detention	5	Wellpinit, WA	Kalispel & Spokane Tribes	12/15 = 27	11/16 = 27	7/9 = 16	28/31 = 59
302	Makah Public Safety & Detention Center	5	Neah Bay, WA	Makah & Quileute Tribes	3/7 = 10	4/7 = 11	3/6 = 9	2/8 = 10
303	Nisqually Indian Tribal Police Department & Adult Detenti	5	Olympia, WA	Nisqually, Chehalis, Squaxin Island, Skokomish, Shou	13/35 = 48	11/54 = 65	10/56 = 66	9/47 = 56
304	Quinault Police Department & Adult Detention	5	Taholah, WA	Quinault Tribe	6/6 = 12	6/6 = 12	3/8 = 11	5/5 = 10
305a	Colville Adult Detention	5	Nespelem, WA	Confederated Colville Tribes	32/64 = 96	48/96 = 144	37/74 = 111	37/69 = 106
309	Puyallup Nation Law Enforcement & Detention	5	Tacoma, WA	Puyallup Tribe	2/6 = 8	2/8 = 10	2/9 = 11	2/7 = 9
310	Chehalis Tribal Police Department	5	Oakville, WA	Chehalis Tribe	2/7 = 9	1/7 = 8	2/10 = 12	2/10 = 12
311	Yakama Nation Tribal Police Department & Detention	5	Toppenish, WA	Confederated Tribes of Yakama Nation	5/0 booked	5/0 booked	4/0 booked	2/0 booked
327	Warm Springs Tribal Police Department & Detention	5	Warm Springs, OR	Confederated Tribes of Warm Springs	30/75 = 105	13/52 = 65	12/62 = 74	17/68 = 85
332a	Metlakatla Police Department & Adult Detention	5	Metlakatla, AK	Metlakatla Indian Community	4/0 booked	8/0 booked	3/0 booked	7/0 booked
332b	Metlakatla Juvenile Detention Center	5	Metlakatla, AK	Metlakatla Indian Community	0	1/0 booked	1/0 booked	0

Appendix H 3
Under-reported Inmate Overcrowding
sampling one day in a summer month

Facility	Justice Facility	May 2006 Most Crowded Total	June 2006 Most Crowded Total	July 2006 Most Crowded Total	August 2006 Most Crowded Total	Average 2006 Summer Most Crowded Total
1	Acoma Tribal Police Department	22	20	21	21	**21**
2	Blackfeet Detention Center	46	33	45	47	**43**
3	Chehalis Tribal Police Department	11	6	9	10	**9**
4	Cheyenne River Detention Center - Walter Miner Detention - Juvenile	12	11	12	9	**11**
5	Cheyenne River Detention Center - Walter Miner Detention -Adult	72	78	78	70	**75**
6	Chief Ignacio Justice Center - Adult	36	29	26	28	**30**
7	Chief Ignacio Justice Center - Juvenile	13	19	14	15	**15**
8	Chinle Youth Corrections Center	12	12	4	12	**10**
9	Choctaw Corrections Center - Adult	74	85	80	69	**77**
10	Choctaw Corrections Center - Juvenile	13	10	11	12	**12**
11	Colorado River Indian Tribal Detention Center	29	34	39	31	**33**
12	Confederated Tribes of the Colville Reservation -A & J Same Staff	33	32	48	37	**38**
13	Crow Creek Law Enforcemnt Center	0	8	0	0	**2**
14	Crow Law Enforcement Center	42	28	20	58	**37**
15	Duck Valley Adult Detention Facility	16	17	19	20	**18**
16	Flathead Detention Center	26	32	51	25	**34**
17	Fort Belknap	0	7	0	0	**2**
18	Fort Hall Detention Center - Combined Same Staff	40	37	40	50	**42**
19	Fort Mohave	3	3	4	5	**4**
20	Fort Peck Adult Detention Center	35	32	37	38	**36**
21	Fort Peck Indian Juvenile Services Center	16	12	16	19	**16**
22	Fort Peck Transitional Living Unit	4	5	3	2	**4**
23	Fort Totten Law Enforcement Center	26	34	40	33	**33**

Appendix H 3
Under-reported Inmate Overcrowding
sampling one day in a summer month

Facility	Justice Facility	May 2006 Most Crowded Total	June 2006 Most Crowded Total	July 2006 Most Crowded Total	August 2006 Most Crowded Total	Average 2006 Summer Most Crowded Total
24	Gerald Tex Fox Justice Center - Adult	42	38	36	60	**44**
25	Gerald Tex Fox Justice Center - Juvenile	10	7	12	10	**10**
26	Hopi Agency Detention Center	70	62	67	64	**66**
27	Ki Yuksa O'tipi Reintegration Center	21	24	21	26	**23**
28	Lac Vieux Desert Holding	1	1	2	15	**5**
29	Lower Brule Justice Center - Adult	2	5	3	0	**3**
30	Makah Detention Center	13	9	10	11	**11**
31	Medicine Root Detention Center - Kyle Correctional Facility	44	52	57	98	**63**
32	Menominee Tribal Detention	56	50	49	51	**52**
33	Metlakatla Detention Center - Combined w/1 Juv Holding	4	4	0	3	**3**
34	Navajo Nation - Crownpoint Adult Detention	36	35	36	66	**43**
35	Navajo Nation - Crownpoint Adult Detention	36	22	43	36	**34**
36	Navajo Nation - Kayenta Detention	24	26	23	22	**24**
37	Navajo Nation - Tohatchi Youth Detention	10	12	11	11	**11**
38	Navajo Nation - Tuba City Detention	31	53	41	28	**38**
39	Navajo Nation - Western Navajo Juvenile Corr	13	13	13	13	**13**
40	Navajo Nation - Window Rock Adult Corrections	49	94	107	51	**75**
41	Nisqually Indian Tribal Jail	47	61	61	67	**59**
42	Northern Cheyenne Detention Center	46	57	45	58	**52**
43	Northern Cheyenne Youth Service Center	6	12	17	12	**12**
44	Omaha Tribal Police Department	49	51	37	46	**46**
45	Pine Ridge Detention Center	54	55	67	60	**59**
46	Quinault Detention Center	13	14	14	13	**14**
47	Puyallup Tribal Detention Facility	5	5	5	5	**5**
48	Ramah Public Safety Center	10	12		17	**10**

DRAFT

Appendix H 3
Under-reported Inmate Overcrowding
sampling one day in a summer month

Facility	Justice Facility	May 2006 Most Crowded Total	June 2006 Most Crowded Total	July 2006 Most Crowded Total	August 2006 Most Crowded Total	Average 2006 Summer Most Crowded Total
49	Red Lake Detention Center	63	56	73	65	**64**
50	Rocky Boy Detention Center	28	10	10	10	**15**
51	Rosebud Detention	78	234	56	51	**105**
52	Sac & Fox Juvenile Detention Center	21	21	16	21	**20**
53	Saginaw Chippewa	4	5	3	4	**4**
54	Sault Ste. Marie Tribe of Chippewa	36	19	16	21	**23**
55	Sisseton-Wahpeton Detention	24	2	15	21	**16**
56	Spokane Law Enforcement Center	13	15	16	9	**13**
57	Standing Rock Detention Center	46	53	54	54	**52**
58	Taos Tribal Police Department	7	5	4	7	**6**
59	Tohono O'Odham Detention Facility - Adult	135	139	142	146	**141**
60	Truxton Canon Agency Detention Center	63	78	92	80	**78**
61	Turtle Mountain Detention Center	41	36	36	32	**36**
62	Uintah & Ouray Detention Facility	24	32	29	22	**27**
63	Wanbli Wiconi Tipi Detention (Rosebud)	24	21	26	26	**24**
64	Warm Springs Detention Center	60	61	61	62	**61**
65	White Buffalo Youth Detention Center	12	15	17	15	**15**
66	Wind River Adult Detention Center	27	41	39	23	**33**
67	Yakama Nation Correctional Facility	10	17	12	19	**15**
68	Yankton - Sioux Adult					**0**
69	Zuni Detention Center - New Adult	36	34	32	34	**34**
	One Day Confined - As Reported to Management	**2025**	**2252**	**2143**	**2176**	**2149**

DRAFT

Appendix H 4
DOJ Reference: Jails in Indian Country operating above 150% of capacity
on the
peak day during June 2004

Facility	Facility operating above capacity	Peak Population in June	Rated Capacity	Percent of Capacity Occupied	Number of inmates over capacity
1	Fort Berthold Agency (ND)	31	8	388%	23
2	Tohono O'odham Detention Center (AZ)	121	34	356%	87
3	Pine Ridge Correctional Facility (SD)	77	22	350%	55
4	White Mountain Apache Police Department (AZ)	128	45	284%	83
5	Fort Thompson Jail (SD)	29	12	242%	17
6	Navajo Department of Corrections-Kayenta (AZ)	21	10	210%	11
7	Walter Miner Law Enforcement Center-Adult (SD)	91	45	202%	46
8	Medicine Root Detention Center (SD)	46	24	192%	22
9	Zuni Detention Facility (NM)	64	34	188%	30
10	Wellpinit BIA Law Enforcement Center (WA)	18	10	180%	8
11	Navajo Department of Corrections-Crownpoint (NM)	25	14	179%	11
12	Red Lake Law Enforcement Services (MN)	38	22	173%	16
13	Wind River Police Department (WY)	43	26	165%	17
	Total, 13 Facilities	732	306	239%	426

Reference: U. S. Department of Justice, Bureau of Justice Statistics: Bulletin

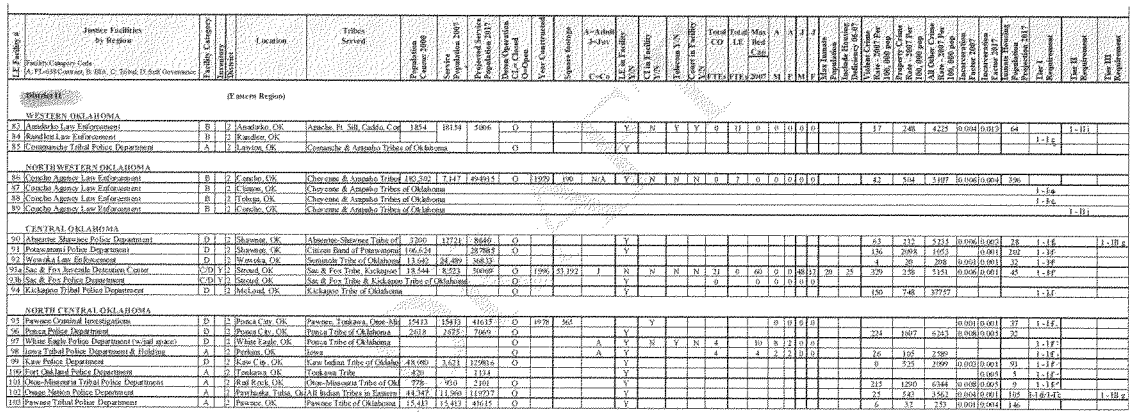
Jails in Indian Country, 2004
November 2006, NCJ 214257

ILE Facility #	Justice Facilities by Region Facility Category Code: A: PL-638 Contract, B: BIA, C: Tribal, D:Self-Governance	Facility Category	Inventory	District	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Detox/Operations CT = Cloud Ct=Open	Year Constructed	Square footage	A=Adult J=Juv	LE in Facility Y/N	CI in Facility Y/N	Tribes in Y/N	Court in Facility Y/N	FTE's	Total CO	Total LE	Max Bed Cap 2007	A	A	J	J	Tot Inmates	Include Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Service Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
					(Great Plains & Mid-West Region)																																	
	MID-EASTERN SOUTH DAKOTA																																					
1	Crow Creek Law Enforcement Center & Adult Detn	B		1	Fort Thompson, SD	Crow Creek Sioux	2295	2525	6170	CL/O	1961	8,797	A	Y	Y	Y	N	0	17	12	10	2	0	0	27	46	989	584	4084	0.042	0.015	93		1 - Hab		
2a	Lower Brule Justice Center & Adult Detention	B/C		1	Lower Brule	Lower Brule & Crow Creek	1184	1990	3197	CL/O	2006	42,500	CA	Y	N	N	N	26	0	38	26	12	0	0			3881	63	9936	0.100	0.015	48		CU to 75 bed		
2b	Lower Brule Justice Center Juvenile Detention	B/C		1	Lower Brule	Lower Brule & Crow Creek				CL/O	2006		CJ	Y	N	N	N	14	0	22	0	0	14	8												
3	Lower Brule Law Enforcement Center	B/C		1	Lower Brule	Lower Brule & Crow Creek				CL/CL	1974	3,379	N/A	N	N	N	N	0	0	0	0	0	0	0												
4	Lower Brule Law Enforcement Center	B/C		1	Lower Brule	Lower Brule & Crow Creek				CL/O	1975	1,200	N/A	Y	Y	Y	N	9	17	9	0	0	0	0												
	EASTERN SOUTH DAKOTA & N.E. NEBRASKA																																					
5	Yankton Law Enforcement	B		1	Wagner, SD	Yankton Sioux	6500	3300	17550	O	1992	448.5	N/A	Y	N	N	N	1	5	0	0	0	0	0			880	1060	2822.9	0.030	0.012	231		CU to 8 bed		
6a	Yankton Sioux - Adult Detention	B		1	Wagner, SD	Yankton Sioux					2007	30,000	CA	N	N	N	N	1	0	36	29	7	0	0												
6b	Yankton Sioux - Juvenile Detention	B		1	Wagner, SD	Yankton Sioux					2007		CJ	N	N	N	N	0	0	18	0	0	13	5												
7	Santee Tribal Police Department	A		1	Santee, NE	Santee Sioux Tribe	878		2371	O	1970	700	N/A	Y	N	N	N	0	5	0	0	0	0	0									0.014	33		1 - H 5		
8	Winnebago Law Enforcement	B		1	Winnebago, NE	Winnebago, Omaha, San Sig	2568	4543	6988	O	1940	858	N/A	Y	Y	Y	N	1	12	0	0	0	0	0			950	1016	4474.7	0.046	0.014	98		1 - H 5		
9	Omaha Tribal Police Department & Adult Detention	B		1	Macy, NE	Omaha Tribe of Nebraska				O	1985	11,678	A	Y	N	Y	Y	9	5	36	24	12	0	0			2258	3094	393.72					1 - H 5		
10	Sisseton-Wahpeton Law Enforcement Center/Adult	A		1	Agency Village, SD	Sisseton-Wahpeton Sioux	10408	13266	28102	O	1974	10,108	A	Y	Y	Y	Y	4	18	22	11	11	0	0	16	20	36	524	8140	0.009	0.007	197		1 - H 5		
11	Sisseton Agency Criminal Investigation Department	B		1	Sisseton, SD	Sisseton-Wahpeton Sioux				O		900	N/A	N	Y	N	N	9	1	0	0	0	0	0										1 - H 5		

LE Facility #	Justice Facilities by Region Facility Category Code A- PLASH/Courtyard, B- BIA, C- Tribal, D- Self Governance	Facility Category	Status	Location	Tribes Served	Population Counts 2000	Service Population - 2007	Projected Service Population 2017	Detox/Operation Of-A-Closed Cell Center	Year Constructed	Square Footage	Are Adult Jail or Lock-Up	LE in Facility Y/N	CI in Facility Y/N	Tuberculosis Y/N	Closed in Facility Y/N	Total CO FTE's	Total LE FTE's	Max Bed Cap 2007	A M	A F	J M	J F	Ethnic Domestic Violence Incidents	Include Housing Indictment 08-07	Violent Crime Rate - 2007 Per 100, 000 pop	Violent Crime Rate - 2017 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2017 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2017 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Tribal Service Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	CENTRAL DAKOTAS (NORTH & SOUTH)																																			
12	Standing Rock Law Enforcement Center/Adult Dete	B	Y	1	Fort Yates, ND	Standing Rock Sioux	8250	10633	22275	O/O	1986	18,254	A	Y	Y	Y	Y	11	24	52	42	10	0	0	52	65	1138	564	14502	0.016	0.013	290		1 - IIa		
13	Standing Rock Law Enforcement	B		1	McLaughlin, SD	Standing Rock Sioux																											1 - IIf	1 - IIh		
14	Standing Rock Juvenile Detention	B	Y	1	Fort Yates, ND	Standing Rock Sioux				Under Const	2007	18,437	J	N	N	N	N	N	6	16	6	0	8	8	54	68											
15a	Cheyenne River Police Dept. & Adult Detention-W	B/A	Y	1	Eagle Butte, SD	Cheyenne River Sioux	8470	8500	22869	O	1992	29,131	CA	Y	Y	Y	Y	14	30	50	18	8	0	0	86	108	1047	165	109085	0.110	0.013	286		CU to 225 bed		
15b	Cheyenne River Tribe's Walter Miner Juvenile Dete	B/A	Y	1	Eagle Butte, SD	Cheyenne River Sioux				O	1992	A	CJ	Y	A	A	N	11	0	15	0	0	9	9													
16	CRST Police Department	A		1	Lagland, SD																													1 - IIg			
17	CRST Police Department	A		1	Takini/Cherry Cr, SD																													1 - IIe			
	SOUTHERN SOUTH DAKOTA																																			
18	Pine Ridge Criminal Investigations	B		1	Pine Ridge, SD	Oglala Sioux Tribe	14068	43900	37988	O	1964	1,856	N/A	N	Y	N	N	6	6	0	0	0	0	0	59	74	342	76	338	incl	incl	251					
19	Oglala Sioux Tribe - Pine Ridge Police Dept. & Det	B/A		1	Pine Ridge, SD	Oglala Sioux Tribe				C/O	1980	11,724	A	Y	N	N	N	7	16	27	15	7	0	0			180	140	24636	0.032	0.007						
20	Oglala Sioux Tribal Offenders Facility (Long-term	C/A	Y	1	Pine Ridge, SD	Oglala Sioux Tribe				O	2005	56,900	A	N	N	N	N	64	0	144	80	64	0	0										1 - Ie	1 to 225 bed		
21	Oglala Sioux-Medicine Root Police Dept. & Adult D	B/A		1	Kyle, SD	Oglala Sioux Tribe				O	1978	10,600	A	Y	N	N	N	6	6	24	15	9	0	0													
22	Oglala Sioux Tribe's Ki Yuksa Oyas Reintegration	A		1	Kyle, SD	Oglala Sioux Tribe				O	1995	12624	J	N	N	N	N	32	0	34	0	0	19	15										1 - If			
23	Oglala Sioux Tribe - Lineman Law Enforcement Cd	B/A	Y	1	Oglala, SD	Oglala Sioux Tribe				O	1980	2,400		Y	N	N	N	0	0	0	0	0	0	0										1 - Ig			
24	Oglala Sioux Tribe - Porcupine Law Enforcement CD	B/A	Y	1	Porcupine, SD	Oglala Sioux Tribe				O	1980	2,400		Y	N	Y	N	0	7	0	0	0	0	0										1 - Ih			
25	Oglala Sioux Tribe - Manderson Substation	A		1	Manderson, SD	Oglala Sioux Tribe				O	1980	63		Y	N	N	N	0	5	0	0	0	0	0										1 - Ii			
26	Oglala Sioux Tribe - Wanblee Law Enforcement Cd	B/A	Y	1	Wanblee, SD	Oglala Sioux Tribe				O	1978	2,400	N/A	Y	N	N	N	0	7	0	0	0	0	0										1 - Ij			
27	Oglala Sioux Tribe - Allen Sub-station	A		1	Allen, SD	Oglala Sioux Tribe				C	unk	250	N/A	Y	N	N	N	0	4	0	0	0	0	0										1 - Ik			
28	Oglala Sioux Tribe - Martin Sub-station	A		1	Martin, SD	Oglala Sioux Tribe				C	unk	125	N/A	Y	N	N	N	0	4	0	0	0	0	0										1 - Il			
29	Rosebud Sioux Tribe Law Enforcement & Adult De	B/A	Y	1	Rosebud, SD	Rosebud Sioux	10409	11617	28216	O	1984	15,512	A	Y	Y	Y	N	7	44	72	45	7	0	0	105	131	887	2573	80189	0.084	0.017	325		1 - IIb	1 - IIi c	
30	Rosebud Sioux Tribal Law Enforcement	A		1	Okreek, SD	Rosebud Sioux																											1 - Ie v			
31	Rosebud Sioux Tribal Law Enforcement	A		1	Gregory, SD	Rosebud Sioux																											1 - Ie			
32	Rosebud Sioux Tribal Law Enforcement	A		1	Parmalee, SD	Rosebud Sioux																											1 - Ie w			
33	Rosebud Sioux Tribal Law Enforcement	A		1	White River, SD	Rosebud Sioux																											1 - Ie x			
34	Rosebud Sioux Tribal Law Enforcement	A		1	Antelope, SD	Rosebud Sioux																											1 - Ie y			
35	Rosebud Sioux-Wanbli Wicoie Tipi Detention	C/A		1	Rosebud, SD	Rosebud Sioux				O	2004	51,946	J	N	N	N	N	43	0	56	0	0	22	13													

LE Facility #	Justice Facilities by Region Facility Category Code A: PU,ARC,Consol, B: BIA, C: Tribal, D:Self Governance	Facility Category	Multi-Purpose	Districts	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Detox/Operation Co-Located	Year Constructed	Square footage	A=Adult/ Juv/ C=Co	LE in Facility Y/N	CI in Facility Y/N	Tribecon Y/N	Court in Facility Y/N	Total CO FTE	Total LE FTE	Max Bed Cap 2007	M	F	M	A	J	W	Tot Incarcerate Population	Include Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Projected Incarcerated Population Projection 2017	Tier-I Requirement	Tier-II Requirement	Tier-III Requirement
UPPER NORTH DAKOTA																																					
36	Fort Totten Law Enforcement Center/Adult Detentio	B	Y	1	Fort Totten, ND	Spirit Lake Sioux Tribe	4435	6223	11975	O/O	1967	7,762	A	Y	Y	Y	N	19	19	26	22	4	0	0	33	41	1430	1944	45814	0.049	0.014	168			1 - II e
37	Fort Totten Law Enforcement	B		1	Tokio, ND																																
38	Fort Totten Law Enforcement	B		1	St. Michaels, ND																															1 - I g	
39	Turtle Mountain Law Enforcement Center/Adult Det	B	Y	1	Belcourt, ND	Turtle Mountain Chippewa	5815	15000	15701	O/O	1959	13,197	A	Y	Y	Y	N	11	21	30	26	4	0	0	56	45	747	2591	36507	0.040	0.012	181			1 - IIIh
40	Turtle Mountain Law Enforcement	B		1	Fromes, ND																															1 - I g	
41	Turtle Mountain Law Enforcement	B		1	Dunseith, ND																															1 - I h	
42	Turtle Mountain Law Enforcement	B		1	St. John, ND																															1 - I i	
43	Fort Berthold Law Enforcement (detention closed)	B		1	New Town, ND	3 Affil Tribes (Man,Hid,Arik)	5915	8396	15973	CL/O	1978	2,999	N/A	Y	N	Y	N	0	17	0	0	0	0	0	0	54	68	236	0	8307	0.009	0.012	194			CU to 150 bed
44	Gerald Tex Fox Justice Center - Adult	C/A		1	New Town, ND	3 Affil Tribes (Man,Hid,Arik)				O	2004	30,569	C	N	N	N	VA	24	0	24	12	12	0	0													
45	Gerald Tex Fox Justice Center - Juvenile	C/A		1	New Town, ND	2 Affil Tribes (Man,Hid,Arik)				O	2004	A	C	N	N	N	VA	36	6	24	0	0	12	12													
46	White Shield Law Enforcement Center & Holding	B/A	Y	1	White Shield, ND	3 Affil Tribes (Man,Hid,Arik)				CL/O	1937	2360	N/A	Y	N	N	N	0	1	0	0	0	0	0													
47	Fort Berthold Law Enforcement	A		1	White Shield, ND																															1 - I e	
48	Fort Berthold Law Enforcement	A		1	Parshall, ND																															1 - I e	
49	Fort Berthold Law Enforcement	A		1	Four Bear, ND																															1 - I e	
50	Fort Berthold Law Enforcement	A		1	Twin Buttes, ND																															1 - I e	
51	Fort Berthold Law Enforcement	A	Y	1	Mandaree, ND																															1 - I e	
52	Fort Berthold Criminal Investigations	A		1	New Town, ND	3 Affil Tribes (Man,Hid,Arik)				O	1996	292.8	N/A	N	Y	N	N	0	1	0	0	0	0	0													
NORTHERN MINNESOTA																																					
53	Nett Lake Police Department	B	Y	1	Nett Lake, MN	Bois Forte Band of Chippe	717		1936	CL/O	1975	4,647	N/A	Y	N	N	N	0	3	0	0	0	0	0								0.014	27			1 - II e
54	Nett Lake Police Department	B		1	Tower, MN																															1 - I e	
55a	Red Lake Tribal Justice Center	B/D	Y	1	Red Lake, MN	Red Lk Band of Chippe/Ojibw	5162		13937	O	2003	47,460	CA	Y	Y	Y	N	30	39	42	28	14	0	0	64	80						0.013	174		CUto 100 bed	
55b	Red Lake Juvenile Detention Center	C/D	Y	1	Red Lake, MN	Red Lk Band of Chippe/Ojibwe				O	2003		CJ	A	A	N	N	17	0	26	0	0	16	10													
56	Red Lake Tribal Law Enforcement	D		1	Pennanth, MN																															1 - I e	
57	Red Lake Tribal Law Enforcement	D		1	Rock Lake, MN																															1 - I c	
58	Red Lake Transitional Living Unit	D		1	Red Lake, MN	Red Lk Band of Chippe/Ojibwe				CL	2004	14,141	J	N	N	N	N	0	0	24	0	0	24	0													
59	Red Lake Department of Public Safety	D	Y	1	Red Lake, MN	Red Lk Band of Chippe/Ojibwa				CL/CL	1976	5,280	A/J	N	N	N	Y	0	0	0	0	0	0	0													
60	Leech Lake Tribe Police Department	D		1	Cass Lake, MN	Leech Lake Band of Ojibwe	10205		37554	O			N/A	Y	Y	Y																0.008	220			1 - IIh
61	Leech Lake Tribal Law Enforcement	D		1	Walker, MN																															1 - I e	
62	Mille Lacs Police Department	D		1	Onamia, MN	Mille Lacs Band of Chippewa				O																											1 - II e	
63	White Earth Band of Minnesota Chippewa Police Di	C		1	White Earth, MN	Whi Earth Band of Minn Chi	2759		7449	Consult/O	1991	1,500	N/A	Y	Y	Y																0.007	48			

LE Facility #	Justice Facilities by Region Facility Category Code A- PL-638 Contract, B- BIA, C- Tribal, D-Self Governance	Facility Category	Number of Beds	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Owned/Operated by (Tribal, O=Other)	Year Constructed	Square footage	A=Adult, J=Juv, C=Cty	LE in Facility Y/N	Cts in Facility Y/N	Tribunal Y/N	Courts in Facility Y/N	Total CO	Total LE	Max Bed Cap		A		J		Tot Expenses	Indirect Population	Indirect Housing	Inflationary 06-07	National Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Interest Factor 2007	Interconvertion Factor 2017	Future Service Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
NORTHERN WISCONSIN & UPPER MICHIGAN PENINSULA																																						
64	Sault Ste. Marie Tribal Youth & Police Satellite Off	C/D/Y	1	St. Ignace	Sault Ste. Marie Chippe/Ottwa	1676		4525	O	2004	11,440	J	Y	N	N	N	12	4	25	0	0	12	13	25	29						0.015	68	1 - Eq -			
65	Sault Ste. Marie Tribal Law Enforcement	D	1	Sault Ste. Marie, MI	Sault Ste. Marie Chippe/Ottwa				O	2001		N/A	Y	Y	Y	Y	0	10	0	0	0	0	0												1 - H q.		
66	Sault Ste. Marie Tribal Law Enforcement Satellite Off	D	1	Manistique, MI	Sault Ste. Marie Chippe/Ottwa				O	2005	12,482	N/A	Y	N	N	N	0	3	0	0	0	0	0												1 - Eq.		
67	Bay Mills Police Department	A	1	Brimley, MI	Bay Mills Chippewa/Ottawa	1012	1268	2755	O	1998	temp apt.	N/A	Y	N	Y	N		12	N/A																1 - Ld.		
68	Michigan Criminal Investigations Unit	D	1	Sault Ste. Marie, MI	8Mid Han Isab LAns SSM CTy				O	1978	896	N/A	N	Y	N	N	0	1	0	0	0	0	0														
69	Lac Vieux Desert Police Department & Holding Fac	A	1	Watersmeet, MI	Lac Vieux Desert Band of L	133	322	365	O/O	2000		N	Y	Y	Y	N	4	9	4	2	2	0	0	5	6	1242	15839	167083	0.184	0.017	6		1 - H g.		
70	Keweenaw Bay Police Department	A	1	Baraga, MI	Keweenaw Bay Band of Chi	3672	3325	9914	O	1992	7,429	N/A	Y	N	N	N		12	0							0	481	1353	0.092	0.014	1.39		1 - H d		
71	Keweenaw Bay Sheltering	A	1	Baraga, MI	Keweenaw Bay Band of Chippewa/Ottwa																													1 - Eq -		
72	Hannahville Police Department	A	1	Wilson, MI	Hannahville Potawatomi	595	583	1067	O	1996	3,720	N/A	Y	N	Y	N		12	0							3259	44940	119967	0.139	0.017	18		1 - H i.		
73	Menominee Police Department & Tribal Detention	B/A	1	Keshena, WI	Menominee Indian Tribe	3218	5111	8683	O	1984	17,948	A	Y	Y	N	Y	16	25	45	32	13	0	0	52	63	959	2917	8022	0.012	0.014	117		CU to 150 bed		
74	Neopit Substation	A	1	Neopit, WI	Menominee Indian Tribe																													1 - Eg*		
75	Lac Du Flambeau Police Department	A	1	Lac Du Flambeau, WI	Lac Du Flambeau Band of L	2995	3900	9087	O	1966	200	N/A	Y	N	N	Y		13	0							579	9868	41421	0.052	0.013	105		1 - H i		
76	Red Cliff Police Department	A	1	Bayfield, WI	Red Cliff Band of Lake Sup	1978	2585	2918																		199	2238	4417	0.007	0.017	49	1 - Eq.			
77	Oneida Police Department	D	1	Oneida, WI	Oneida Tribe of Wisconsin	21129	20000	52561										21								40	675	12960	0.014	0.008	432		1 - H k.		
78	Bad River Police Department	C	1	Odanah, WI	Bad River Band of Lake Sup	1431		2810	O	1970	450	N/A	Y	N	N			5												0.012	46				
NORTHERN MICHIGAN																																						
79	Grand Traverse Police Department	A	1	Suttons Bay, MI	Grand Traverse Band of Ott	1594	1799	4369	O	1995	5,834	N/A	Y	Y	Y	N		17	0							227	569	17396	0.038	0.014	58		1 - H a.		
80	Saginaw Chippewa Police Department and Detex	A	1	Mt. Pleasant, MI	Chippewa Asinhtuabh-Isabe	2e822	1447	9719	O	1984	5,540	A	Y	N	Y		9		12	4	4	2	2			1728	6012	38217	0.046	0.082	139		1 - H g.		
81	Little River Band of Ottawa	A	1	Little River Manistee	Little River Band of Ottawa		1362																			289	2546	10637					1 - Ld.		
82	Little Travers Bay Band Police Department	A	1	Harbor Springs, MI	Little Traverse Bay Band of Odawa Ind		1300		O	2002	1,396	N/A	Y	N	Y	Y		16	0							167	333	3250					1 - Le.		



LE Facility #	Justice Facilities by Region Facility Category Code (A, FT=638Contract, B, BIA, C, Tribal, D, Self Governance)	Facility Category	Funding Source	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Direct Operation or Tribal Co-Operation	Year Constructed	Square Footage	A=Adult J=Juv C=Co	LE In Facility Y/N	CI In Facility Y/N	Telecom Y/N	Court in Facility Y/N	Total CO	Total LE	Max Bed Cap	A	J	J	Tot Inmate Population	Include Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Growth Factor Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	District II			(Eastern Region)																													
	WESTERN OKLAHOMA																																
83	Anadarko Law Enforcement	B	2	Anadarko, OK	Apache, Ft. Sill, Caddo, Co	1854	18134	5006	O				Y	N	Y	Y	0	11	0	0	0	0	0			17	248	4225	0.004	0.013	64	1 - H1		
84	Randlett Law Enforcement	B	2	Randlett, OK																												1 - H5		
85	Comanche Tribal Police Department	A	2	Lawton, OK	Comanche & Arapaho Tribes of Oklahoma				O				Y																					
	NORTHWESTERN OKLAHOMA																																
86	Concho Agency Law Enforcement	B	2	Concho, OK	Cheyenne & Arapaho Tribes	140,592	7,147	49495.1	O	1939	100	N/A	Y	N	N	N	0	7	0	0	0	0	0			42	504	3107	0.006	0.004	396	1		
87	Concho Agency Law Enforcement	B	2	Clinton, OK	Cheyenne & Arapaho Tribes of Oklahoma																											1 - H6		
88	Concho Agency Law Enforcement	B	2	Tribune, OK	Cheyenne & Arapaho Tribes of Oklahoma																											1 - H6		
89	Concho Agency Law Enforcement	B	2	Concho, OK	Cheyenne & Arapaho Tribes of Oklahoma																												1 - H1	
	CENTRAL OKLAHOMA																																
90	Absentee Shawnee Police Department	D	2	Shawnee, OK	Absentee-Shawnee Tribe of	3200	13721	8646	O				Y													63	232	5253	0.006	0.005	28	1 - H		1 - H1 g
91	Potawatomi Police Department	D	2	Shawnee, OK	Citizen Band of Potawatomi	106,624		28788	O				Y													136	2098	1953		0.001	202	1 - H		
92	Wewoka Law Enforcement	D	2	Wewoka, OK	Seminole Tribe of Oklahoma	13,642	24,499	36833																		4	20	208	0.003	0.003	33	1 - H		
93a	Sac & Fox Juvenile Detention Center	C/D	Y	2	Stroud, OK	Sac & Fox Tribe, Kickapoo	18,544	8,923	30698	O	1996	53,392	J	N	N	N	N	21	0	60	0	0	0	48	12	20	25	329	256	5351	0.006	0.005	45	1 - H		
93b	Sac & Fox Police Department	C/D	Y	2	Stroud, OK	Sac & Fox Tribe & Kickapoo Tribe of Oklahoma				O				Y					0		0	0	0	0	0									
94	Kickapoo Tribal Police Department	D		2	McLoud, OK	Kickapoo Tribe of Oklahoma				O				Y													150	748	37757				1 - H		
	NORTH CENTRAL OKLAHOMA																																
95	Pawnee Criminal Investigations	D		2	Ponca City, OK	Pawnee, Tonkawa, Otoe-Mis	15413	15413	41615	O	1978	365			Y							0	0	0	0						0.001	0.001	37	1 - H		
96	Ponca Police Department	D		2	Ponca City, OK	Ponca Tribe of Oklahoma	2418	2825	7669	O				Y													224	1007	6243	0.008	0.005	22			
97	White Eagle Police Department (w/jail space)	D		2	White Eagle, OK	Ponca Tribe of Oklahoma				O			A	Y	N	Y	N	4		10	8	2	0	0									1 - H		
98	Iowa Tribal Police Department & Holding	A		2	Perkins, OK	Iowa				O			A	Y				4		4	2	2	0	0			26	105	2589				1 - H		
99	Kaw Police Department	D		2	Kaw City, OK	Kaw Indian Tribe of Oklaho	428 (60	3,623	125816	O				Y													0	525	2099	0.002	0.003	93	1 - H		
100	Fort Oakland Police Department	A		2	Tonkawa, OK	Tonkawa Tribe	820		1134					Y															0.005	0.005	6	1 - H		
101	Otoe-Missouria Tribal Police Department	A		2	Red Rock, OK	Otoe-Missouria Tribe of Ok	776	950	2191	O				Y													215	1250	6344	0.008	0.005	9	1 - H		
102	Osage Nation Police Department	A		2	Pawhuska, Tulsa, Ok	All Indian Tribes in Eastern	44,347	11,960	119727	O				Y													27	542	3562	0.004	0.001	105	1 - H	1 - H1 g	
103	Pawnee Tribal Police Department	A		2	Pawnee, OK	Pawnee Tribe of Oklahoma	15,433	15,433	41615	O				Y													6	32	253	0.001	0.004	146			

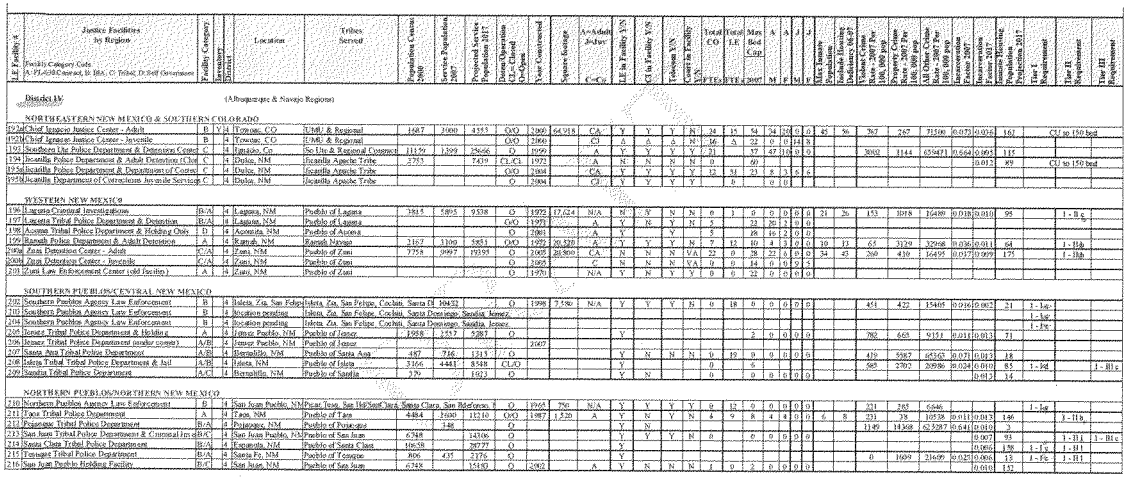
LE Facility #	Justice Facilities by Region Facility Category Code: A=PL-638Contract; B-BIA; C-Tribal; D-Self Governance	Facility Category	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Detox Operation Co=Coed Cl=Client	Year Constructed	Square Footage	A=Adult J=Juv Co/Cl	LE In Facility Y/N	CI In Facility Y/N	Tuberose Y/N	Courts in Facility Y/N	Total CO FTEs	Total LE FTEs	Max Beds Cap 2007	M	F	M	F	Male Inmates Population	Female Inmates Population	Jail Bed Deficiency 08-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crimes Rate - 2007 Per 100, 000 pop	Detox Service Factor 2007	Incarceration Factor 2007	Tribal Service Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
NORTH EASTERN OKLAHOMA																																			
104	Miami Law Enforcement, Shawnee, Miami, Quapaw Tribes	B	2	Miami, OK	Seneca Cayuga, Ottowa, Peoria & Wyandotte Tribes of OK			O	1992	515	N/A	Y	N	N	N	0	4	6	0	0	0	0			0	5672	62249								
105	Wyandotte Police Department	D	2	Wyandotte, OK	Wyandotte Tribe of Oklahoma	1678	2150	4501	O																40	0	1992	0.002	0.005	20		1 - IIIj	
EASTERN OKLAHOMA																																			
106	Muscogee Creek Nation Police Department	D	2	Okmulgee, OK	Creek Nation of Oklahoma	394,765	53,817	1002226				Y													5	168	1091	0.001	0.003	266	1 - Ia			
107	Cherokee Nation Marshal Service	D	2	Tahlequah, OK	Cherokee Nation	1,066,934	122,215	2878265																	11	31	292	0.001	0.001	403	1 - Ia			
SOUTH EASTERN OKLAHOMA																																			
108	McAlester OIS-Investigations	B	2	McAlester, OK	All Indian Tribes in Eastern Oklahoma				O	1993	425	N/A	N	Y	N	N	0	1	0	0	0	0	0										1 - IIe		
109	Chickasaw Light Horse Police Department	D	2	Ada, OK	Chickasaw Nation	277,442		749093	O		38,000	O	Y	Y	Y	N	0	39	0	0	0	0	0			50	249	11562		0.003	52	1 - IIf		
110	Choctaw Nation Tribal Police Department	D	2	Durant, OK	Choctaw Nation of Oklahoma	184,976	209,333	409435					Y											89	111	0	63	234	0.001	0.000	175	1 - IIf		
111	Choctaw Nation Tribal Police Department	D	2	Hugo, OK	Choctaw Nation of Oklahoma																											1 - IIe		
NORTH EASTERN KANSAS, TEXAS																																			
112	Iowa Tribe of Kansas Police Department	A	2	Whitecloud, KS	Iowa Tribe of Kansas & NeB	649	3824	3728	O				Y													26	26	3577	0.004	0.015	26			
113	Potawatomi Tribal Police Department	A	2	Mayetta, KS	Prairie Band of Potawatomi	1193	11041	3216	O				Y													994	2032	27205	0.093	0.015	48			
114	Kickapoo Tribal Police Department	A	2	Horton, KS	Kickapoo Tribe of Kansas	782	7675	2114	O				Y																0.039	0.015	32		1 - IIf	
115	Sac & Fox Tribal Police Department	A	3	Reserve, KS	Sac & Fox Tribe	199	422	537	O				Y													0	1422	16548	0.018	0.015	8			
116	Kickapoo Tribal Police Department	A	2	Eagle Pass, TX	Kickapoo Tribe of Texas																											1 - IIe		

Ltr Facility #	Justice Facilities by Region Facility Category Code (B-BIA/Contract; B/BIA, C-Tribal, D-Self Government	Facility Category		Location	Tribes Served	Population Center 2000	Service Population 2007	Projected Service Population 2017	Status/Operation (BIA/Tribal O-Owned L-Leased)	Year Constructed	Square footage	A=Adult Juv	LE in Facility Y/N	CI in Facility Y/N	Cohesive Y/N	Cover in Facility Y/N	Total LE FTE	Total CO FTE	Total LE FTE 2007	Max Bed Cap	A m	A w	J m	J w	Tore Inmates	Tore Inmates	Isabella Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crimes Rate - 2007 Per 100, 000 pop	Arrest Factor 2007	Incarceration Factor 2007	Projected Service Population Projections 2017	Tier I Requirement	Tier II Requirement	Tier III Requirements
	District III			(Western Region & Navajo)																																
	NORTHERN ARIZONA/FOUR CORNERS																																			
117	Hopi Law Enforcement/Adult Detention	B	Y	0	Keams Canyon, AZ	Hopi Tribe	6946	7307	13281	CL/O	1980	21,790	A	Y	Y	Y	Y	18	22	68	28	0	0	66	83	222	14	42417	0.043	0.012	180		1 - IIf c		
118	Hopi Law Enforcement Substation	C		3	Moenkopi, AZ	Hopi Tribe																										1 - If			
	MID-WESTERN ARIZONA																																			
119	Southern Paiute Law Enforcement Center	C		3	Pending, UT	Southern Paiute Tribe																					455	455	11818				1 - Ff			
120	Truxton Canon Adult Detention Center	B	Y	2	Peach Springs, AZ	Hualapai, Havasupai & Yav	1353	660	2653	O/O	1986	10,358	A	Y	Y	Y	N	14	0	40	32	8	0	0	78	98	3835	835	51167	0.038	0.060	219		1 - II i,	1 - III g	
121	Hualapai Juvenile	B/C		3	Peach Springs, AZ	Hualapai Nation	1353	1901	3653		2007	18,960	J	N	N	N	N	28	0	30	0	0	12	12			6733	2472	123514	0.135	0.045	55				
122	Hualapai Tribal Police Department	B/A		3	Peach Springs, AZ	Hualapai Tribe				O	1980	1,675	N/A	Y	Y	Y	N	0	7	0	0	0	0	0												
123	Supai Law Enforcement & Holding Facility	B	Y	2	Supai Canon, AZ	Havasupai Tribe	503		1258	O/O	unk	12,163	A	Y	N	Y	N	0	11	4	0	0	0	0							0.013	20	1 - Ig			
124	Colorado River Agency Criminal Investigations	B		2	Parker, AZ	Chemehuevi, Colorado Rive	7466	1000	16425	O	1971	716	N/A	N	Y	N	N	0	3	0	0	0	0	0	33	41	467	12360	113253	0.124	0.058	570		1 - If c	1 - III c	
125	Colorado River Indian Tribes Police Dept. & Adult	A		3	Parker, AZ	Colorado River Indian Tribes																														
126	Colorado River Indian Tribes Substation	A		3	Poston, AZ	Colorado River Indian Tribes				O/O	1985	20,712	A	Y	N	Y	N	14	33	36	28	6	0	0										1 - Ig		
127	Fort Mohave (Booking/Holding)	A		3	Fort Mohave, AZ	Mohave Tribe	773	524	1705	O	1976	1,100	J	Y	N	Y	N	0	23	2	0	0	1	1			5243	30899	402609	0.439	0.015	26	1 - Ie			
128	Fort Mohave - Under county	A		35	Fort Mohave, AZ	Mohave Tribe				O	2007	1,500	A	N	N	N	N	4	24	8	4	4	0	0	4	3										
	MID-EASTERN ARIZONA																																			
129	Whiteriver Tribe Police Department/Adult Detention	B/A	Y	3	Whiteriver, AZ	White Mountain Apache Tribe				O/O	1968	22,746	A	Y	N	Y	N	16	69	45	34	13	0	0												CU to 150 bed
130	Fort Apache Criminal Investigations	B		3	Whiteriver, AZ	White Mountain Apache Trl	13429	18000	27344	O	1966	1,051	N/A	N	Y	N	N	0	4	0	0	0	0	0			694	89	222	0.001	0.013	355				
131	Whiteriver Tribal Police Department	A		3	McNary, AZ	White Mountain Apache Tribe		13829																			1313	4119	50747	0.045	0.002	19	1 - Fe			
132	Whiteriver Tribal Police Department	A		3	E Bergan, AZ	White Mountain Apache Tribe																												1 - Ie			
133	San Carlos Criminal Investigations	B		3	San Carlos, AZ	San Carlos Apache Tribe	9385	12786	20178	O	1985	824	N/A	Y	Y	Y	Y	0	3	0	0	0	0	0			1064	6274	85128	0.090	0.045	340				
134	San Carlos Department of Corrections & Rehabilitati	B/A	Y	1	San Carlos, AZ	San Carlos Apache Tribe				O	2005	52,058	CA	N	N	Y	Y	46	0	156	72	26	32	28												
134	San Carlos Department of Corrections & Rehabilitati	B/A	Y	5	San Carlos, AZ	San Carlos Apache Tribe				O	2005		CJ	N	N	N	Y	0	0															1 - IIIe		
135	San Carlos Tribal Police Department-cold detention	A		3	San Carlos, AZ	San Carlos Apache Tribe				CL/O	1977	17,193	N/A	Y	Y	Y	Y	0	36	45	0	0	0	0												
136	San Carlos Tribal Police Department	A		13	Bylas, AZ	San Carlos Apache Tribe																												1 - Fg		

1050

Ref. Facility #	Justice Facilities by Region Facility Category Code A- PL-638 Contract, B- BIA, C- Tribal, D- Self-Governance	Facility Category	Direction	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Dates/Operation (CF=Closed Facility)	Year Constructed/ Renovated	Square footage	A=Adult/ J=Juv. C or A	LE in Facility Y/N	CIs in Facility Y/N	Telecom Y/N	Courts in Facility Y/N	Total CO FTEs	Total LE FTE	Max Bed Cap 2007	A M	A F	J M	J F	Male Inmate Population	Female Inmate Population	Inadeq. Housing (Deficiency 06-07)	Violent Crime Index - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Future Housing Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	MID-CENTRAL ARIZONA																																		
137	Tonto Apache Tribal Police Department	B/A		Payson, AZ	Tonto Apache Tribe	122		222	O	1995	4,712	N/A	Y	N	N	N	0	10	0	0	0	0	0													
138	Yavapai Apache Tribal Police Department	B/A		Camp Verde, AZ	Yavapai Apache Indian Tribe		1929		O	1997	2,017	N/A	Y	N	N	N	0	22	0	0	0	0	0				383	3312	12630	0.014	0.015	27		1 - I.e.		
139	Yavapai Prescott Tribal Police Department	B/A		Prescott, AZ	Yavapai Prescott Indian Tribe	882	882	691	O	1996	1,060	N/A	Y	N	N	N	0	17	0	0	0	0	0				3646	45055	28296.7	0.335	0.017	26		1 - I.g.		
	PHOENIX AREA																																		
140	Fort McDowell Tribal Police Department & Juvenile	D		Fort McDowell, AZ	Fort McDowell Mohave Apa	924	1300	2225	O/O	1976	3,610	N/A	Y	Y	Y	N	0	28	2	0	0	0	0				2100	7800	135660	0.145	0.060	133		1 - II. c		
141a	Salt River Pima-Maricopa Police Department/DOC	C/D		Scottsdale, AZ	Salt River Pima-Maricopa	6405	7605	14411	O	1976	1,994	CA	Y	Y	Y	N	68		40			0	0				1012	9915	68652	0.086	0.013	187		1 - II.i		
141b	Salt River Pima-Maricopa Juvenile Detention	C/D		Scottsdale, AZ	Salt River Pima-Maricopa				O	1995		CJ	Y	N	N	N	9		15	0	0															
142a	Salt River Pima-Maricopa Department of Corrections	D		Scottsdale, AZ	Salt River Pima-Maricopa				O	2006	34,351	CA	N				55		85	40	210	0	0												CJ sq ft 22.5 bed	
142b	Salt River Pima-Maricopa Department of Corrections	D		Scottsdale, AZ	Salt River Pima-Maricopa				O	2006	15,689	CJ	N				35		75	0	0	20	20													
	CENTRAL ARIZONA																																		
143	Gila River Tribal Police & Dept. Correc. & Rehab.	B/D		Sacaton, AZ	Gila River Indian Comm.	14930	11021	21500	O/O	1999		A	Y	Y	Y		84	67	221	181	40	0	0				2187	5372	74579	0.042	0.110	347		CJ sq ft 210 bed		
144	Gila River Juvenile Detention Center	D		Sacaton, AZ	Gila River Indian Comm.				O	1981	21,613	J	N	N	N	N	52	0	106	0	0	75	31													
145	Gila River West Holding Facility	D		Laveen, AZ	Gila River Indian Comm.				CL	1970	3,235	A					0		40													1 - F.e.			
146	Gila River West Law Enforcement	D		Long Butte, AZ	Gila River Indian Comm.																										1 - F.e.			
147	Ak-Chin Criminal Investigations Unit	C/A		Maricopa, AZ	Ak-Chin Indian Community	743	984	2906	O/O	1999	1,971	N/A	N	Y	N	N	9	1	9	0	0	0	0				407	711	407	0.092	0.013	26				
148	Ak-Chin Law Enforcement	C		Maricopa, AZ	Ak-Chin Indian Community of Papago Indians																												1 - II.h		
149	Ak-Chin Tribal Police Department/Detention	C		Maricopa, AZ	Ak-Chin Indian Community of Papago Indians				O/O	1981	16,617	A	Y	Y	Y	N		18																		
150	Ak-Chin Tribal Police Department	C		Maricopa, AZ	Ak-Chin Indian Community of Papago Indians				O		2,700	N/A	Y	Y	Y	N	0	4	0	0	0	0	0													

LE Facility #	Justice Facilities by Region Bia=by Category Code (C: PL=LE/Central; B: BIA; C: Tribal; D: Self Governance)	Facility Category	Law Enforcement District	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Duties/Operation (J=Jail CL=Closed CO=Open)	Year Constructed	Square Footage	Av.Adult Jail Cell Cap	LE in Facility Y/N	CJ in Facility Y/N	Telecom Y/N	Courts in Facility Y/N	Total # CO's	Total LE's	Max Bed Cap	A	A	J	J	Tot. Inmate Population	Include Housing Delinquency Ok?	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Projected Inmate Housing	Tier I Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	SOUTHERN ARIZONA																																			
151	Ouechan Tribal Police Department	A	3	Yuma, AZ	Quechan Indian Tribe	1000	1200	2700	O	1999	1,152	N/A	Y	N	N	N	0	4	0	0	0	0	0			2833	3060	29250	0.037	0.098	22		1 - I g.			
152	Cocopah Tribal Police Department	A	3	Somerton, AZ	Cocopah Tribe of Arizona	1025	1081	2768	O	2002	7,500	N/A	Y	Y	Y	N	0	14	0	0	0	0	0			3052	4548	19851	0.136	0.013	36		1 - I c.			
153	Tohono O'Odham Tribal Police Department/Adult Det	B/A	Y	Sells, AZ	Tohono O'Odham Nation	10450	20000	28704	CL/O	1991	8,868	A	Y	Y	Y	N	27	67	34	86	14	0	0	141	176	558	1658	16188	0.018	0.013	308		1 - I a.	1 - II g.	
154	Tohono O'Odham Law Enforcement	A	3	Gila Bend, AZ	Tohono O'Odham Nation																												1 - I a.			
155	Tohono O'Odham Law Enforcement	A	3	Santa Rosa, AZ	Tohono O'Odham Nation																												1 - I a.			
156	Tohono O'Odham Law Enforcement	A	3	Pisinemo, AZ	Tohono O'Odham Nation																												1 - I a.			
157	Tohono O'Odham Law Enforcement	A	5	San Miguel, AZ	Tohono O'Odham Nation																												1 - I a.			
158	Tohono O'Odham Law Enforcement	A	3	Menagor Dam, AZ	Tohono O'Odham Nation																												1 - I a.			
159	Tohono O'Odham Law Enforcement	A	3	Cho Cho, AZ	Tohono O'Odham Nation																												1 - I a.			
160	Tohono O'Odham Law Enforcement	A	3	San Xavier, AZ	Tohono O'Odham Nation																													1 - II g.		
161	Tohono O'Odham Detention Facility - Juvenile	C	5	Sells, AZ	Tohono O'Odham Nation				O			J	N	N	N	Y	12	0	16	0	0	8	8													
162	Pascua Yaqui Police Department & Holding facility	B/A	3	Tucson, AZ	Pascua Yaqui Nation	3315	10073	8951	O	1970			N	N	N	N	8	0	3	0	0	0	0			1012	1697	26986	0.029	0.011	98		1 - III b.			
163	Pascua Yaqui Police Department	A	3	Tucson, AZ	Pascua Yaqui Nation				O	1970	1,123	N/A	Y	Y	Y	N	5	30	7	0	0	0	0														
164	Pascua Yaqui Police Administration	A	3	Tucson, AZ	Pascua Yaqui Nation				O	2000	1,256	N/A	Y	Y	N	N	0	3	9	0	0	0	0														
	NORTHEASTERN NEVADA																																			
165	Duck Valley Juv. Service Center-pending agreement	B	Y	Owyhee, NV	Battle Mtn, Ely, Elko, Wells	1265		3416	O	2002	19,000	J	N	N	N	N	25	0	25	0	0	23	4	34	42					0.045	154					
166	Eastern Nevada Agency Police Dept-Adult Detention	B	3	Duck Valley, NV	Battle Mtn, Ely, Elko, Wells, Duck Valley, Duckwater, Goshute																													1 - IV c.		
167	Eastern Nevada Agency Criminal Investigations	B	3	Elko, NV	Battle Mtn, Ely, Elko, Wells, Duck Valley, Duckwater, Gol				O			60	N/A	N	Y	N	N	0	N	0	0	0	0	0												1 - III c.	
168	Wells Band Tribal Police Department	A	3	Wells, NV	Wells Colony(Te-Moak Tribe of Western Shoshone Indian				O	N/A	N/A	N/A	Y	N	N	N	0	1	0	0	0	0	0		0	667	50667							1 - Ie.		
169	Goshute Law Enforcement	A	5	Ibapah, UT	Confederated Tribes of Goshut	195		284	O		960	N/A	Y	N	N	N	0	2	0	0	0	0	0						0.013	4			1 - I a.			
170	Duck Water Tribal Police Department	A	3	Duckwater, NV	Shoshone Tribe	149	149	402	O	N/A	N/A	N/A	Y	N	N	N	0	2	0	0	0	0	0		0	0	1470	0.017	0.013	5		1 - I g.			
171	Elko Band Tribal Police Department	A	3	Elko, NV	Elko Band Colony (Te-Mos	1594	2000	4284	O	1980	1,200	N/A	Y	N	N	N	0	5	0	0	0	0	0		250	0	2400	0.105	0.013	56		1 - I e.			
172	Ely Tribal Police Department	A	3	Ely, NV	Ely Colony (Western Shosh	85	300	270	O	N/A	N/A	N/A	Y	N	N	N	0	2	0	0	0	0	0		333	3060	10900	0.033	0.013	3		1 - I g.			
173	Battle Mountain Indian Colony Law Enforcement	B	3	Battle Mtn, NV	Te-Moak of Western Shosho	124		335	O		60	N/A	N	Y	N	N	0	2	0	0	0	0	0						0.013	4		1 - I g.			
174	South Fork Band Colony	A	5	South Fork, NV	Te-Moak of Western Shoshone																												1 - I e.			
	WESTERN NEVADA																																			
175	Fallon Tribal Police Department	A	3	Fallon, NV	Fallon Colony (Fallon Shosh	1002	1100	2705	O		600	N/A	Y	N	N	Y	0	2	0	0	0	0	0		180	1999	27727	0.040	0.013	35		1 - I a.			
176	Lovelock Tribal Police Department	A	3	Lovelock, NV	Lovelock Paiute Tribe	103	150	278	O	N/A	N/A	N/A	Y	N	N	N	0	2	0	0	0	0	0		1333	2667	96000	0.100	0.013	4		1 - I g.			
177	Pyramid Lake Tribal Police Department	A	5	Nixon, NV	Pyramid Lake Paiute Tribe	2137	2054	1778	O		1,300	N/A	Y	N	N	N	0	5	0	0	0	0	0		389	487	19961	0.021	0.013	25		1 - I e.	1 - II b.		
178	Reno-Sparks Tribal Police Department	A	3	Reno, NV	Reno-Sparks Colony (Washi	1400	1050	3760	O		1,200	N/A	Y	N	N	N	0	6	0	0	0	0	0		1143	3333	64571	0.068	0.013	49		1 - I g.		1 - III c.	
179	Walker River Tribal Police Department	A	3	Schurz, NV	Walker River Paiute Tribe	853	900	1303	O		1,000	N/A	Y	N	N	N	0	3	0	0	0	0	0		1556	2111	47444	0.031	0.013	20		1 - I g.	1 - III b.		
180	Yerington Tribal Police Department	A	3	Yerington, NV	Yerington Paiute Tribe	139	506	375	O	N/A	N/A	N/A	Y	N	N	N	0	2	0	0	0	0	0		988	2174	55771	0.039	0.013	5		1 - I g.			
181	Yomba Tribal Police Department	A	3	Austin, NV	Yomba Colony of Shoshone	206	190	536	O		960	N/A	Y	N	N	N	0	2	0	0	0	0	0		0	0	2680	0.092	0.013	7		1 - I g.			
182	Washoe Tribal Police Department	D	3	Gardnerville, NV	Pauite and Shoshone Tribes	1300	1500	3510	O		1,800	N/A	Y	N	Y	Y	0	6	0	0	0	0	0		2342	1772	52025	0.056	0.013	46		1 - I a.			
183	Wiememucca Indian Colony	D	3	Wiememucca, NV	Paiute and Shoshone Tribes																				798	399	16567					1 - I a.			
184	Ft. McDermit Paiute & Shoshone	D	5	McDermit, NV	Paiute and Shoshone Tribes																												1 - I a.			
185	Summit Lake Paiute Tribe	D	5	Summit Lake, NV	Paiute and Shoshone Tribes																												1 - I c.			
	SOUTHERN UTAH & NEVADA																																			
186	Southern Paiute Field Station	B	3	St. George, UT	Kaibab Band of Paiute India	270	220	729	O	2004	2,118	N/A	Y	N	N	N	0	2	0	0	0	0	0						0.013	0.013	9		1 - II j.			
187	Kaibab Indian Tribe	B	3	Fredonia, AZ	Southern Paiute																												1 - I e.			
188	Moapa Tribal Police Department	A	3	Moapa, NV	Moapa Band of Paiute India	295	250	797	O		1,600	N/A	Y	N	Y	N	0	4	0	0	0	0	0		4400	10800	144400	0.160	0.013	10		1 - I e.			
189	Las Vegas Paiute Police Dept	A	5	Las Vegas, NV	Las Vegas Paiute		60																		3333	25000	270000	0.798	0.098	3		1 - II j.			
	UTAH																																			
190	Uintah & Ouray Law Enforcement &Detention (Det	B	3	Fort Duchesne, UT	Ute Indian Tribe & Skull Vl	19812	15000	52492	CL/O	1960		A	Y	Y	Y	N	3	13	20	12	8	0	0	27	34	220	133	20133	0.029	0.005	241		1 - III b.			
191	Uintah & Ouray Law Enforcem	B	3	White Rock, UT	Ute Indian Tribe & Skull Valley, Goshute Tribe																												1 - I c.			

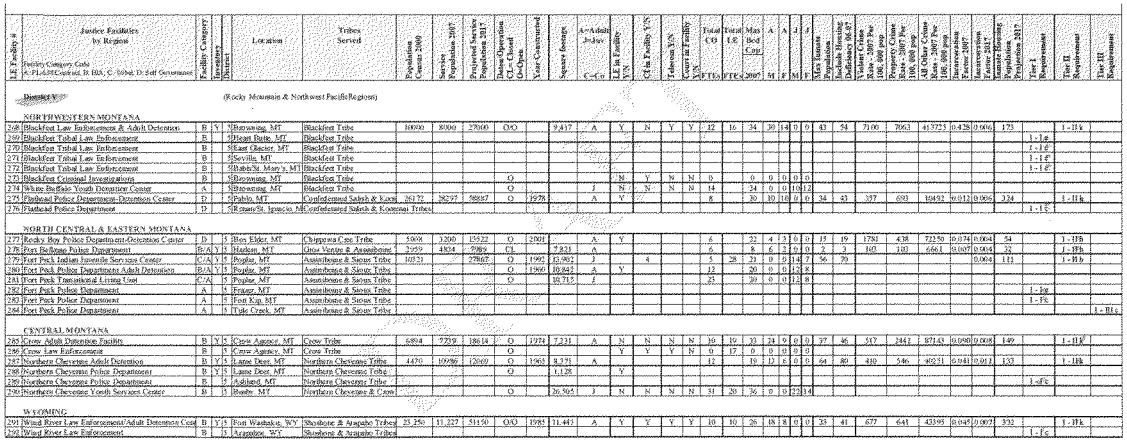


I.E Facility #	Justice Facilities by Region Facility Category Code A-PL-JOC owned, by BIA; C- Tribal; D-Self Governance	Facility Category	Detention	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Date(s) Operation (C)- Closed Or Open	Year Constructed	Square Footage	A=Adult Juv=Juv C=C	LE in Facility Y/N	CI in Facility Y/N	Television Y/N	Control in Facility Y/N	Total CO	Total LE	Total FTE	Max Bed Cap. 2007	A M	A F	J M	J F	Other Inmates Housed	Outside Housing	Daily Inmate Population 06-07	Tribal Crime Rate - 2007 Per 100, 000 pop	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Projected Incarcerated Population 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	District IV (Albuquerque & Navajo Regions)																																					
	NORTHEASTERN NEW MEXICO & SOUTHERN COLORADO																																					
192a	Chief Ignacio Justice Center - Adult	B	Y	4	Towaoc, CO	UMU & Regional	1687	2000	4353	O/O	2000	64,918	CA	Y	Y	Y	N	24	15	54	54	20	0	0	45	56	767	767	71506	0.073	0.026	167		CU to 150 bed				
192b	Chief Ignacio Justice Center - Juvenile	B		4	Towaoc, CO	UMU & Regional				O/O	2000		CJ	Δ	Δ	Δ	N	16	Δ	22	0	0	14	8														
192	Southern Ute Police Department & Detention Center	C		4	Ignacio, Co	So Ute & Regional Connect	11159	1399	25666	O	1959		A	Y	Y	Y	Y	21		37	47	10	6	0			2002	1144	659471	0.564	0.095	115						
194	Jicarilla Police Department & Adult Detention (Clos	C		4	Dulce, NM	Jicarilla Apache Tribe	3755		7439	CLCL	1973		A	N	N	N	N	0		60													0.012	89				
195a	Jicarilla Police Department & Department of Correct	C		4	Dulce, NM	Jicarilla Apache Tribe				O/O	2004		CA	Y	Y	Y	Y	12	31	23	8	3	6	6													CU to 150 bed	
195b	Jicarilla Department of Corrections Juvenile Services	C		4	Dulce, NM	Jicarilla Apache Tribe				O	2004		CJ	Y	Y	Y	Y		6		0	0																
	WESTERN NEW MEXICO																																					
196	Laguna Criminal Investigations	B/A		4	Laguna, NM	Pueblo of Laguna	3815	5895	9538	O	1972	17,624	N/A	N	Y	N	N	6	1	0	0	0	0	0	24	26	153	1018	16489	0.018	0.010	95		1 - II g				
197	Laguna Tribal Police Department & Detention	B/A		4	Laguna, NM	Pueblo of Laguna				O/O	1973		A	Y	N	Y	N	5		23	26	2	0	0														
198	Acoma Tribal Police Department & Holding Only	D		4	Acoma, NM	Pueblo of Acoma				O	2001		A	Y		Y		5		18	16	2	0	0														
199	Ramah Police Department & Adult Detention	A		4	Ramah, NM	Ramah Navajo	2167	1109	5851	O/O	1972	20,320	A	Y	Y	Y	N	7	12	10	4	3	0	0	10	12	65	3129	32968	0.036	0.011	64		1 - II k				
200a	Zuni Detention Center - Adult	C/A		4	Zuni, NM	Pueblo of Zuni	7758	9997	19395	O	2005	26,900	CA	N	N	N	VA	22	0	28	22	8	8	0	34	45	260	430	16495	0.0177	0.009	175		1 - II k				
200b	Zuni Detention Center - Juvenile	C/A		4	Zuni, NM	Pueblo of Zuni				O	2005		C	N	N	N	VA	0	0	14	6	0	9	5														
201	Zuni Law Enforcement Center (old facility)	A		4	Zuni, NM	Pueblo of Zuni				O	1970		N/A	Y	N	Y	Y	0	0	22	0	0	0	0														
	SOUTHERN PUEBLOS/CENTRAL NEW MEXICO																																					
202	Southern Pueblos Agency Law Enforcement	B		4	Isleta, Zia, San Felipe	Isleta, Zia, San Felipe, Cochiti, Santa D	39432			O	1998	7,580	N/A	Y	Y	Y	N	0	18	0	0	0	0	0			451	422	15405	0.016	0.002	21	1 - Ia,						
203	Southern Pueblos Agency Law Enforcement	B		4	location pending	Isleta, Zia, San Felipe, Cochiti, Santa Domingo, Sandia, Jemez,																													1 - Ia,				
204	Southern Pueblos Agency Law Enforcement	B		4	location pending	Isleta, Zia, San Felipe, Cochiti, Santa Domingo, Sandia, Jemez,																													1 - Ia,				
205	Jemez Tribal Police Department & Holding	A		4	Jemez Pueblo, NM	Pueblo of Jemez	1958	2557	5287	O				Y						2	0	0	0	0			702	665	9151	0.011	0.013	71						
206	Jemez Tribal Police Department (under constr)	A/B		4	Jemez Pueblo, NM	Pueblo of Jemez					2007																											
207	Santa Ana Tribal Police Department	A/B		4	Bernalillo, NM	Pueblo of Santa Ana	487	716	1213	O				Y	N	N	N	0	19	0	0	0	0	0			476	5987	65360	0.071	0.013	18						
208	Isleta Tribal Tribal Police Department & Jail	A/B		4	Isleta, NM	Pueblo of Isleta	3166	4443	8548	CL/O				Y				0		6							585	2702	20986	0.024	0.010	85	1 - Id			1 - III g		
209	Sandia Tribal Police Department	A/C		4	Bernalillo, NM	Pueblo of Sandia	329		1023	O				Y	N			0		0	0	0	0	0							0.013	14						
	NORTHERN PUEBLOS/NORTHERN NEW MEXICO																																					
210	Northern Pueblos Agency Law Enforcement	B		4	San Juan Pueblo, NM	Picuri, Jemz, San Ild/Santa Clara, Santa Clara, San Ildefonso, S				O	1995	796	N/A	Y	Y	Y	Y	0	12	0	0	0	0	0			321	285	6646					1 - Ig					
211	Taos Tribal Police Department	A		4	Taos, NM	Pueblo of Taos	4484	3680	11210	O/O	1987	1,520	A	Y	N	Y	N	6	9	8	4	4	0	0	6	8	231	98	10538	0.011	0.013	146		1 - II b				
212	Picuris Tribal Police Department	B/A		4	Penasco, NM	Pueblo of Penasco		148		O				Y	N												1149	14368	62.5287	0.641	0.010	2						
213	San Juan Tribal Police Department & Criminal Inv	B/C		4	San Juan Pueblo, NM	Pueblo of San Juan	6748		14306	O				Y	Y	Y	N	0		0	0	0	0	0							0.007	93		1 - II i	1 - III c			
214	Santa Clara Tribal Police Department	B/A		4	Espanola, NM	Pueblo of Santa Clara	10658		20777	O				Y																	0.006	139	1 - Ig	1 - II i				
215	Tesuque Tribal Police Department	B/A		4	Santa Fe, NM	Pueblo of Tesuque	806	435	2176	O				Y													0	1689	21699	0.025	0.006	13	1 - Ie	1 - II i				
216	San Juan Pueblo Holding Facility	B/C		4	San Juan, NM	Pueblo of San Juan	6748		15480	O	2002		A	Y	N	N	N	1	0	2	0	0	0	0							0.010	155						

LE Facility #	Justice Facilities by Region Facility Category Code A-PL638Contract, B- Bld, C- Tribal, D-Self Governance	Facility Category	Inventory	Status	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Detox Operation CL= Closed O=Open	Year Constructed	Square footage	A=Adult J=Juv C=Co	LE in Facility Y/N	Cts in Facility Y/N	Tribunal Y/N	Courts in Facility Y/N	Total CO	Total LE	Mod Bed Cap	A	A	J	J	Male Inmates Booked/Year	Female Inmates Booked/Year	Individ Housing Capacity	Individ Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Larceny 2007	Incarceration Factor 2017	Female Housing Capacity	Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
SOUTHERN NEW MEXICO & EL PASO																																							
217	Mescalero Adult Detention	B		A	Mescalero, NM	Mescalero Apache Tribe	3356	4212	5521	CL	1975	4400	A	Y	N	N	N	0	0	24	0	0	0	0														1 - IIIk		
218	Mescalero Law Enforcement	B		A	Mescalero, NM	Mescalero Apache Tribe				O	1938	2880	N/A	Y	Y	Y	N	0	14	0	0	0	0	0																	
219	Ysleta Del Sur Tribal Police Department	A		A	El Paso, TX	Ysleta Del Sur Pueblo	425	1002	1137	O																															
SOUTH CENTRAL NAVAJO																																							
220	Navajo Nation - Window Rock Adult Detention. LE	A		A	Window Rock, AZ	Navajo Nation	180,462	185,190	206040	O	1989	37,880	A	Y	N	Y	Y	11	93	42	33	9	0	0	311	389	237	933	62232	0.063	0.005	1827			1 - IIIk		
221	Navajo Law Enforcement Training Academy	A		A	Tuba, AZ	Navajo Nation				O			N/A	Y	Y	N	N	0	13	0	0	0	0	0																
222	Window Rock Dispatch, Squad room & Sgt's office	A		A	Window Rock, AZ	Navajo Nation				window area	1990	1,200	N/A	Y	N	Y	N	0	0	0	0	0	0	0																
223	Window Rock Police Dept - Criminal Investigations	A		A	Window Rock, AZ	Navajo Nation				O	1978	1680	N/A	N	Y	N	N	0	11	0	0	0	0	0																
224	Western Police Substation (Window Rock District)	A		A	Ganado, AZ	Navajo Nation				O	1992	300	N/A	Y	N	Y	N	0	3	0	0	0	0	0														1 - IIg		
225	Northern Police Substation & building (Window Rd	A		A	Navajo, NM	Navajo Nation				CL/CL	1970	3,970	N/A	N	N	N	N	0	3	0	0	0	0	0																
226	Southern Sub-station (Window Rock District)	A		A	Tuba, AZ	Navajo Nation				O	1979	1,920	N/A	Y	N	N	N	0	2	0	0	0	0	0														1 - IIe		
227	Eastern Sub-station (Window Rock District) (new co	A		A	Rocksprings, NM	Navajo Nation				CL		3,000	N/A	Y	N	N	N	0	1	0	0	0	0	0																
NORTHERN NAVAJO																																							
228	Navajo Nation - Shiprock Police Department & Adm	A		A	Shiprock, NM	Navajo Nation				O/O	1958	7,500	A	Y	N	Y	N	17	53	18	13	5	0	0															1 - IIIc	1 - IIIg	
229	Shiprock Department of Criminal Investigations	A		A	Shiprock, NM	Navajo Nation				O	2001	2,996	N/A	N	Y	N	N	0	12	0	0	0	0	0																
230	Western Police Substation (Shiprock District)	A		A	Red Valley, AZ	Navajo Nation				O	1974	980	N/A	Y	N	N	N	0	3	0	0	0	0	0														1 - IIg		
231	Northern Police Substation (Shiprock District)	A		A	Red Mesa, AZ	Navajo Nation				O	1974	980	N/A	Y	N	N	N	0	4	0	0	0	0	0														1 - IIe		
232	Southern Police Sub-station (Shiprock District)	A		A	Newcomb, NM	Navajo Nation				O	1974	980	N/A	Y	N	N	N	0	4	0	0	0	0	0														1 - IIe		
233	Eastern Police Sub-station (Shiprock District)	A		A	Nenahnezad, NM	Navajo Nation				O	1974	980	N/A	Y	N	N	N	0	2	0	0	0	0	0														1 - IIe		
EASTERN NAVAJO																																							
234	Navajo Nation - Tohatchi Youth Detention & Police	A		A	Tohatchi, NM	Navajo Nation				O/O	1970	2, 970	J	Y	N	N	N	8	0	12	0	0	8	5																
235	Navajo Nation-Crownpoint Law Enfor & Ad Detent	A		A	Crownpoint, NM	Navajo Nation				O/O	1975	12,055	A	Y	N	Y	Y	15	35	37	10	14	0	0															1 - IIIc		
236	Crownpoint Department of Criminal Investigations	A		A	Crownpoint, NM	Navajo Nation				O			N/A	N	Y	N	N	0	4	0	0	0	0	0																
237	Crownpoint CJ Administration	A		A	Crownpoint, NM	Navajo Nation				O			N/A	N	Y	N	N	0	0	0	0	0	0	0															1 - IIIc	
238	Dzilnahodithli CJ Sub-office	A		9	Dzilnahodithli, NM	Navajo Nation				O			N/A	N	Y	N	N	0	1	0	0	0	0	0																
239	Churchrock CJ Sub-office	A		A	Churchrock, NM	Navajo Nation				O			N/A	N	Y	N	N	N	2	0	0	0	0	0																
240	Western Police Substation (Crownpoint District)	A		A	Tohatchi, NM	Navajo Nation				O	1974	980	N/A	Y	N	N	N	0	0	0	0	0	0	0														1 - IIg		
241	Northern Police Substation (Crownpoint District)	A		A	Nageezi, NM	Navajo Nation				CL	1974	980	N/A	Y	N	N	N	0	2	0	0	0	0	0														1 - IIe		
242	Southern Police Substation (Crownpoint District)	A		A	Churchrock, NM	Navajo Nation				CL	1974	980	N/A	Y	N	N	N	0	3	0	0	0	0	0														1 - IIe		
243	Tohatchi Police Sub-station (Crownpoint District)	A		A	Tohatchi, NM	Navajo Nation				CL	1974	980	N/A	Y	Y	N	N	8	8	0	0	0	0	0														1 - IIe		
244	Alamo Sub-station	A			Alamo, NM	Navajo Nation																																1 - IIe		

Appendix H 5
Planned Replacement Facility Requirements 2007 - 2017

LE Facility #	Justice Facilities by Region Facility Category Code A: PL-638Contract, B: BIA, C: Tribal, D: Self-Governance	Facility Category	Inventory	District	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Status Operation (O) or Closed (C)	Year Constructed	Square Footage	A=Adult/ J=Juv/ C=Co	LE in Facility Y/N	CLis Facility Y/N	Tribe(s) Y/N	Court in Facility Y/N	Total FTE	Total CO FTE	Total LE FTE	Max Bed Cap. 2007	A M	A F	J M	J F	Tot Inmates Population	Jail Jails Housing Deficiency thr 07	Violent Crime Rate - 2007 Per 100, 000 pop	Violent Crime Rate - 2017 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2017 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2017 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Projected Population Projection 2017	Tier 1 Requirement	Tier II Requirement	Tier III Requirement
CENTRAL NAVAJO																																							
245	Navajo Nation - Chinle Law Enforcement & Adult	A		4	Chinle, AZ	Navajo Nation					1966	6,780	A	Y	N	Y	N	84			22	52	1	0	0												1 - B c	1 - B1 c	
246	Chinle Department of Criminal Investigations	A		4	Chinle, AZ	Navajo Nation				O	1991	16580	N/A	N	Y	N	N	0	10	0	9	0	0	0	0														
247	Chinle Youth Corrections Services Center	B/A	Y	4	Chinle, AZ	Navajo Nation				O	2000	29,153	J	N	N	N	N	30	0	48	0	0	24	24															
248	Window Rock Police Sub-station (Chinle District)	A		4	Fresno, AZ	Navajo Nation				O	1974	980	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I e		
249	Eastern Police Sub-station (Chinle District)	A		4	Tsaile, AZ	Navajo Nation				C	1974	980	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I e		
250	Northern Police Sub-station (Chinle District)	A		4	Many Farms, AZ	Navajo Nation				C	1974	980	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I e		
WESTERN NAVAJO																																							
251	Navajo Nation - Tuba City Police Department & Ad	A		4	Tuba City, AZ	Navajo Nation				CL/CL	1999	6,794	A	Y	N	Y	Y	33	2	56	28	8	8	0												1 - B c	1 - B1 c	
252	Tuba City Department of Criminal Investigations	A		4	Tuba City, AZ	Navajo Nation				O	1995	2,160	N/A	N	Y	N	N	9	10	9	0	0	0	0														
253	Northern Police Sub-station (Tuba City District)	A		4	Page, AZ	Navajo Nation				O	1974	624	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I m		
254	Southern Police Sub-station (Tuba City District)	A		4	Cameron, AZ	Navajo Nation				O	1974	624	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I gr		
255	Navajo Nation - Western Navajo Juvenile Correction	B/A	Y	4	Tuba City, AZ	Navajo Nation				O	1998	25,000	J	N	N	N	N	40	6	36	0	0	26	10														
UTAH NAVAJO																																							
256	Navajo Nation - Kayenta Law Enforcement & Adult	A		4	Kayenta, AZ	Navajo Nation				O/O	1980	3,575	A	Y	Y	Y	N	9	26	10	5	5	0	0												1 - B c		
257	Kayenta Department of Criminal Investigations	A		4	Kayenta, AZ	Navajo Nation				O	1991	2,160	N/A	N	Y	N	N	9	10	9	0	0	0	0														
258	Kayenta LE Records & Drugs/Narcotics Section	A		4	Kayenta, AZ	Navajo Nation				O	1972	2,910	N/A	Y	Y	N	N	9	8	0	0	0	0	0														
259	Northern Police Sub-station (Kayenta District)	A		4	Aneth, UT	Navajo Nation				O	1974	980	N/A	Y	N	N	N	9	3	0	0	0	0	0												1 - I m		
260	Western Police Sub-station (Kayenta District)	A		4	Inscription House, AZ	Navajo Nation				O		720	N/A	Y	N	N	N	9	3	0	0	0	0	0												1 - I gr		
261	Eastern Police Sub-station (Kayenta District)	A		4	Dennehotso, Az	Navajo Nation				O		720	N/A	Y	N	N	N	9	3	0	0	0	0	0												1 - I gr		
262	Southern Police Sub-station (Kayenta District)	A		4	Chilchinbeto, AZ	Navajo Nation				O		980	N/A	Y	N	N	N	9	4	0	0	0	0	0												1 - I gr		
SOUTHWESTERN NAVAJO																																							
263	Dilkon Department of Law Enforcement	A		4	Dilkon, AZ	Navajo Nation				O			N/A	Y	N	Y	N	9	29	0	0	0	0	0													1 - B c		
264	Dilkon Department of Criminal Investigations	A		4	Dilkon, AZ	Navajo Nation				O			N/A	N	Y	N	N	9	6	0	0	0	0	0															
265	Eastern Sub-station (Dilkon District)	A		4	Greasewood Springs	Navajo Nation				O		798	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I gr		
266	Western Police Sub-station (Dilkon District)	A		4	Leupp, AZ	Navajo Nation				O	1974	980	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I gr		
267	Northern Police Sub-station (Dilkon District)	A		4	Tuba City, AZ	Navajo Nation				O	1974	980	N/A	Y	N	N	N	9			0	0	0	0	0												1 - I gr		



LE Facility #	Justice Facilities by Region	Facility Category	Detention	Location	Tribes Served	Population Census 2000	Service Population 2007	Projected Service Population 2017	Dated Operation Of A Closed Facility	Year Constructed	Square Footage	A=Adult, Juv. C=Co	LE In Facility Y/N	Cells In Facility Y/N	Television Y/N	Courts in Facility Y/N	Total CO	Total LE	Max Bed Cap	A	J	F	M	T	Tribal Jail Population	Include Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime Rate - 2007 Per 100, 000 pop	Incarceration Factor 2017	Arrest Factor Projection 2017	Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	District V (Rocky Mountain & Northwest Pacific Regions)																																		
	NORTHWESTERN MONTANA																																		
268	Blackfeet Law Enforcement & Adult Detention	B	Y	Browning, MT	Blackfeet Tribe	10000	10000	27000	O/O		9,417	A	Y	N	Y	Y	12	16	34	20	14	0	0	43	54	7106	7063	413725	0.428	0.006	173		1 - IIA	
269	Blackfeet Tribal Law Enforcement	B		Heart Butte, MT	Blackfeet Tribe																												1 - IIe		
270	Blackfeet Tribal Law Enforcement	B		East Glacier, MT	Blackfeet Tribe																												1 - IIf		
271	Blackfeet Tribal Law Enforcement	B		Seville, MT	Blackfeet Tribe																												1 - IIf		
272	Blackfeet Tribal Law Enforcement	B		Babb/St. Mary's, MT	Blackfeet Tribe																												1 - IIf		
273	Blackfeet Criminal Investigations	B		Browning, MT	Blackfeet Tribe				O				N	Y	N	N	0		0	0	0	0	0												
274	White Buffalo Youth Detention Center	A		Browning, MT	Blackfeet Tribe				O			J	N	N	N	N	14		24	0	0	10	12												
275	Flathead Police Department-Detention Center	D		Pablo, MT	Confederated Salish & Kaini	26172	26237	58867	O	1978		A	Y				8		20	10	10	0	0	34	43	357	693	10493	0.012	0.006	324		1 - IIk	
276	Flathead Police Department	D		Ronan/St. Ignacio, MT	Confederated Salish & Kootenai Tribes																													1 - IIc	
	NORTH CENTRAL & EASTERN MONTANA																																		
277	Rocky Boy Police Department-Detention Center	D		Box Elder, MT	Chippewa Cree Tribe	5000	3200	15522	O	2001		A	Y				6		22	4	3	0	0	15	19	1781	438	7235	0.074	0.004	54		1 - IIb	
278	Fort Belknap Police Department	B/A	Y	Harlem, MT	Gros Ventre & Assiniboine	2959	4804	7984	CL		7,821	A					6		8	6	2	0	0	2	3	163	183	666.1	0.007	0.004	32		1 - IIb	
279	Fort Peck Indian Juvenile Services Center	C/A	Y	Poplar, MT	Assiniboine & Sioux Tribe	10231		27867	O	1992	15,992	J					5	28	23	0	0	14	7	56	79					0.004	111		1 - IIb	
280	Fort Peck Police Departments Adult Detention	B/A	Y	Poplar, MT	Assiniboine & Sioux Tribe				O	1969	10,842	A	Y				12		20	0	0	12	8												
281	Fort Peck Transitional Living Unit	C/A		Poplar, MT	Assiniboine & Sioux Tribe				O		10,715	J					25		20	6	0	12	8												
282	Fort Peck Police Department	A		Fraser, MT	Assiniboine & Sioux Tribe																													1 - Ig	
283	Fort Peck Police Department	A		Fort Kip, MT	Assiniboine & Sioux Tribe																													1 - IIc	
284	Fort Peck Police Department	A		Tule Creek, MT	Assiniboine & Sioux Tribe																														1 - IIIc
	CENTRAL MONTANA																																		
285	Crow Adult Detention Facility	B	Y	Crow Agency, MT	Crow Tribe	6894	7259	18614	O	1974	7,231	A	N	N	N	N	10	19	32	24	9	0	0	37	46	517	2442	8743	0.098	0.008	149		1 - IIF	
286	Crow Law Enforcement	B		Crow Agency, MT	Crow Tribe				O				Y	Y	Y	N	0	17	0	0	0	0	0												
287	Northern Cheyenne Adult Detention	B	Y	Lame Deer, MT	Northern Cheyenne Tribe	4470	10986	12669	O	1983	8,271	A					12		10	12	8	0	0	64	80	410	546	4023	0.041	0.012	133		1 - IIk	
288	Northern Cheyenne Police Department	B	Y	Lame Deer, MT	Northern Cheyenne Tribe				O		1,128		Y																						
289	Northern Cheyenne Police Department	B		Ashland, MT	Northern Cheyenne Tribe																													1 - IIc	
290	Northern Cheyenne Youth Services Center	B		Busby, MT	Northern Cheyenne & Crow				O		26,505	J	N	N	N	N	31	20	36	0	0	25	31	4											
	WYOMING																																		
291	Wind River Law Enforcement/Adult Detention Cent	B	Y	Fort Washakie, WY	Shoshone & Arapaho Tribes	23,250	31,227	51150	O/O	1985	31,443	A	Y	Y	Y	Y	10	10	26	18	8	0	0	33	41	677	641	43395	0.045	0.007	332		1 - IIA	
292	Wind River Law Enforcement	B		Arapahoe, WY	Shoshone & Arapaho Tribes																												1 - IIc		

LE Facility #	Justice Facilities by Region Facility Category Code A-PL-689 Compact, B- BIA, C- Tribal, D Self Governance	Facility Category	Assessment?	District	Location	Tribes Served	Population Counts-2000	Service Population 2007	Projected Service Population 2017	Status Operation (T)-Tribal Co-Open	Year Constructed	Square footage	A=Adult J=Juv C=Co	LE in Facility Y/N	CI in Facility Y/N	Television Y/N	Control in Facility Y/N	Total CO	Total LE	Max Bed Cap	A	A	J	J	Yakama Population	Suquamish Housing Deficiency Jan 07	Tribal Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crimes Rate - 2007 Per 100, 000 pop	Incarceration Factor 2007	Incarceration Factor 2017	Yakama Housing Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	IDAHO																																		
293d	Fort Hall Police Department Adult Detention	A		4	Fort Hall, ID	Shoshone-Bannock Tribe	5762	5759	14405	O	1972		C	Y				8		27	18	4	1	3	42	53	469	1563	211252	0.233	0.005	130		1 - II c	
293d	Fort Hall Juvenile Detention Center	A		5	Fort Hall, ID	Shoshone-Bannock Tribe				Closed			C																						
294	Nez Perce Police Department	A		5	Lapwai, ID	Nez Perce Tribe	17,959	3,327	40849																	481	3306	31289	0.025	0.008	300		1 - II e	
295	Coeur d'Alene Police Department	A		5	Plummer, ID	Coeur d'Alene Tribe	6,551	10000	14412																	1240	789	47280	0.049	0.008	108		1 - II g	
296	Kootenai Tribe Law Enforcement	A		5	Bonners Ferry, ID	Kootenai Tribe																											1 - I g	
	WASHINGTON																																		
297	Spokane Law Enforcement Center/Adult Detention	B	Y	5	Wellpinit, WA	Kalispel & Spokane Tribes	2210	3000	5967	O/O		4,892	A	Y		Y		9		40	6	4	0	0	13	16	1133	1600	26700	0.029	0.008	45			1 - II b
298	Kalispel Tribe Law Enforcement	B		5	Usk, WA	kalispel & Spokane Tribes																				500	6500	83000					1 - I g	
299	Columbia River Gorge Law Enforcement Services	B		5	Stevenson, WA	Nez Perce, CF of Umatilla,	375.27		82581					Y																0.006	26		1 - I e	
300	Olympic Peninsula Criminal Investigations-Quileute	B		5	Aberdeen, WA	Chehalis, Hoh, Law Elwha,	4604	372	11810	O				Y													583	10465	46512	0.058	0.008	86			
301	Skokomish Department of Public Safety	B		5	Shelton, WA	Skokomish Tribe	730	1500	1973	O				Y													1733	6600	46800	0.025	0.008	15		1 - I g	
302	Makah Public Safety & Detention Center	D		5	Neah Bay, WA	Makah & Quileute Tribes	1727	1727	4963	O	1979		A	Y				3		32	8	4	0	0	11	14	260	1132	41148	0.043	0.008	35		1 - I g	
303	Nisqually Indian Tribal Police Department & Adult	C/D	Y	5	Olympia, WA	Nisqually, Chehalis, Squaxin	2669	6200	9343	O	2000	7,375	A	Y				10		24	28	8	0	0	59	74	32	113	1500	0.001	0.008	70			1 - III f
304	Quinault Police Department & Adult Detention	B/D	Y	5	Taholah, WA	Quinault Tribe	1370	3293	3699	O	1960	6,139	A					7		14	10	4	0	0	14	18	31	738	36981	0.088	0.009	31		1 - I g	1 - III f
305a	Colville Adult Detention	C/A		5	Nespelem, WA	Confederated Colville Tribes	7582	5023	18935	O		28,575	CA					24		24	21	8	17	14	38	48	22	22	78	0.030	0.006	104			1 - III h
305b	Colville Juvenile Detention	C/A		5	Nespelem, WA	Confederated Colville Tribes				O			CJ					5		26															
306	Colville Tribal Law Enforcement	A		5	Nespelem, WA	Confederated Colville Tribes				O																									
307	Colville Tribal Law Enforcement	A		5	Omak, WA	Confederated Colville Tribes																				0	1000	4667					1 - I g	
308	Colville Tribal Law Enforcement	A		5	Ft. Okanogan, WA	Confederated Colville Tribes																												1 - I g	
309	Puyallup Nation Law Enforcement & Detention	A		5	Tacoma, WA	Puyallup Tribe	43335	3224	90937	O			A					9		30	6	4	1	0	5	6	186	3916	14919	0.018	0.002	205		1 - IIe	
310	Chehalis Tribal Police Department	A		5	Oakville, WA	Chehalis Tribe	691	3456	1866	O	2009		A	Y				8		17	12	4	0	0	9	11	58	2088	33148	0.025	0.006	21		CU as 27 bed	
311	Yakama Nation Tribal Police Department) & Detent	A		5	Toppenish, WA	Confederated Tribes of Yal	31799	16806	69958	CL/O	1974		A	Y				8		28	18	10	0	0	15	19	310	2235	13245	0.016	0.005	94		1 - IIb	
312	Yakama Nation Tribal Police Department	A		5	Parker, WA	Yakama Tribe																											1 - I c	
313	Hoh Police Department	A		5	Forks, WA	Hoh Indian Tribe	102	150	275	O				Y												0	9333	140667	0.150	0.008	2			

ILE Facility #	Justice Facilities by Region Facility Category Code A: BIA/BIC Contract/ T: BIA, C: Tribal, O: Self Governance	Facility Category	Decision?	Location	Tribes Served	Population Census 2000	Service Population 2000	Projected Service Population 2017	Date(Operation Of Current Facility)	Year Constructed	Square footage	Av Adult Jail Beds (Off)	Jail Facility Y/N	Tribal Jail Facility Y/N	Court in Facility Y/N	Total CO	Total LE FTE	Max Bed Cap 2007	A M	A F	J M	J F	Total Inmate Population	Include Planning Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crimes Rate - 2007 Per 100, 000 pop	Incarceration Factor 2017	Service Population Projection 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
314	LaPush Police Department	A		5 LaPush, WA	Quileute Tribe	371		1002	O				Y															0.008	8	1 - Lf		
315	Skokomish Department of Public Safety	A		5 Shelton, WA	Skokomish Tribe	730	1509	1971	O				Y												1733	6696	46800	0.955	0.008	13	1 - Lf		
316	Squaxin Island Tribal Enforcement	A		5 Shelton, WA	Squaxin Island Tribe	405		1094																				0.008	8			
317	Elwha Klallam Tribal Police Department	A		5 Port Angeles, WA	Lower Elwha Tribe	545		1472																				0.008	11			
318	Shoalwater Bay Tribal Police Department	A		5 Tokeland, WA	Shoalwater Bay Tribe	255		689																				0.008	5	1 - Lp		
319	Lummi Law & Order	A		5 Bellingham, WA	Lummi Tribe	4193		11323	O																			0.008	85	1 - Ld		
320	Port Gamble Tribal Police Department	A		5 Kingston, WA	Port Gamble Indian Commun	1045	1160	2822																				0.008	21	1 - Tp		
321	Tulalip Tribal Police Department	A		5 Marysville, WA	Tulalip Indian Community	9246	3964	20541																	694	3274	64436	0.008	0.008	150		1 - Jdb	
322	Sauk-Suiattle Tribal Police Department	A		5 Darrington, WA	Sauk-Suiattle Indian Tribe	167	109	451																	1666	2000	35666	0.638	0.008	3	1 - Lp		
323	Upper Skagit Tribal Police Police	A		5 Sedro Woolley, WA	Upper Skagit Indian Tribe		304																		0	987	23345	0.024	0.008	2	1 - Lp		
324	Snoqualmish Tribal Police Department	A		5 Snoqualmish, WA	Snoqualmish Indian Tribe	6336	3763	14279																	316	7146	17957	0.017	0.008	196	1 - Lf		
325	Swinomish Tribal Police Department	A		5 LaConner, WA	Swinomish Indian Tribe	2664		6466																				0.008	50	1 - Lf		
326	Stillaguamish Law Enforcement	A		5 Arlington, WA	Stillaguamish Tribe of India	302		275																				0.008	2	1 - Lf		
	OREGON																															
327	Warm Springs Tribal Police Department & Detention	O/A	Y	5 Warm Springs, OR	Confederated Tribes of Warr	3311	2355	7459	O	1984	16,758	A	Y		Y		14		48	26	10	0	0	61	76	3782	10551	91898	0.108	0.016	139		1 - Hk	
328	Coquille Tribal Police Department	A		5 North Bend, OR	Coquille Indian Tribe	258		551																				0.012	7			
329	Siletz Tribal Police Department	A		5 Siletz, OR	Siletz Tribe	508	308	832																	325	20130	78571	0.099	0.012	10			
330	Umatilla Police Department	A		5 Pendleton, OR	Confederated Tribes of Uma	2927	2622	6439																	343	7509	17845	0.022	0.012	77		1 - Hk	
331	Burns-Paiute Tribal Police Department	A		5 Burns, OR	Burns-Paiute Indian Tribe	132		356																	0	0	29218		0.012	4	1 - Lp		
	ALASKA																															
332A	Metlakatla Police Department & Adult Detention	D		5 Metlakatla, AK	Metlakatla Indian Community	1447	1761	3183	O	1960		C	Y				4		8	4	2	1	1	3	4	0	144	13156	0.012	0.009	27			
332B	Metlakatla Juvenile Detention Center	D		5 Metlakatla, AK	Metlakatla Indian Community				O			C																					

LE Facility # / AI Facility #	Justice Facilities by Region Facility Category Code A, PI-638Contract, St TBA, C- Tribal, O-Self Governance	Facility Category	Detention Services	Location	Tribes Served	Population Count 2000	Service Population 2007	Projected Service Population 2017	Owner/Operation CJ-C, Closed CJ-O	Year Constructed	Square Footage	Av Adults Jail/yr C-/o	LE in Facility Y/N	CIs in Facility Y/N	Telecom Y/N	Court in Facility Y/N	Total CO FTEs	Total LE FTE	Max Bed Cap 2007	M	F	MI	Text Banner Messaging	Include Housing Deficiency 06-07	Violent Crime Rate - 2007 Per 100, 000 pop	Property Crime Rate - 2007 Per 100, 000 pop	All Other Crime (Non-Traffic) Rate - 2007 Per 100, 000 pop	Juvenile Arrests Factor 2007	Incarceration Factor 2007	Projected Juvenile Population 2017	Tier I Requirement	Tier II Requirement	Tier III Requirement
	District VI			(Eastern Region)																													
	MISSISSIPPI																																
133a	Choctaw Justice Complex & Detention Center - Adult	C/A	Y	6	Philadelphia, MS	Mississippi Band of Choctaw	4211	8699	10562	O	2003	67,483	CA	Y	Y	Y	Y	38	82	62	45	17	0	0	39	111	1903	2037	29152	0.033	0.014	148		CU to 150 bed	
133b	Choctaw Juvenile Detention Center	C/A	Y	6	Philadelphia, MS	Mississippi Band of Choctaw				O	2003		CJ	Y	Y	Y	Y	19	9	22	0	0	14	8										
134	Choctaw Law Enforcement	A		6	Canonsburg, MS	Mississippi Band of Choctaw																										1 - Eg		
	NORTH CAROLINA																																
135	Cherokee Police Department	A		6	Cherokee, NC	Eastern Band of Cherokee	8092	7477	19016	O			N/A	Y	Y	N	N	0	62	0	0	0	0	0			254	976	2541	0.004	0.011	209		1 - IIIc	
136	Cherokee Police Department	A		6	Snowbird, NC	Eastern Band of Cherokee																										1 - Fc		
	LOUISIANA																																
137	Chitimacha Police Department	A		6	New Iberia, LA	Chitimacha Tribe of Louisia	1070	450	2889	O	1994	5,036	N/A	Y	Y	Y	N	0	14	0	0	0	0	0			222	13353	77276	0.091	0.014	40		1 - IIIc	
138	Coushatta Tribal Police Department	A		6	Elton, LA	Coushatta Tribe of Louisiana	462	849	1247	O	2002	8,180	N/A	Y	Y	Y	N	0	17	0	0	0	0	0			977	12454	30769	0.044	0.014	17		1 - IIIc	
139	Tunica-Biloxi Tribe Law Enforcement	A		6	Marksville, LA	Tunica - Biloxi Tribe		218																								1 - IIIc		
140	Poarch Creek Police Department	A		6	Atmore, Alabama	Poarch Creek Indian Tribe	156	2389	421	O	1998		N/A	Y	Y	Y	N	0	36	0	0	0	0	0			84	1758	23306	0.023	0.014	6		1 - IIIc	
141	Poarch Creek Police Department	A		6	Wetumpka, Ala	Poarch Creek Indian Tribe																										1 - Fc		
	MAINE																																
142	Maliseet Tribal Police Department	A		6	Houlton, ME	Houlton Band of Maliseet In	136		367	O	1993	100	N/A	Y	N	N	N	0	2	0	0	0	0	0							0.014	5			
143	Indian Township Police Department	A		6	Princeton, ME	Passamaquoddy Tribe	676		1825	O		1,800	N/A	Y	N	Y	N	0	17	0	0	0	0	0							0.014	26			
144	Penobscot Nation Police Department	A		6	Indian Island, ME	Penobscot Nation	562	340	1517	O	1977		N/A	Y	Y	Y	N	0	8	0	0	0	0	0			926	12591	152267	0.156	0.014	21			
145	Pleasant Point Police Department	A		6	Perry, ME	Passamaquoddy Tribe - Plea	646		1728	O			N/A	Y	N	Y	N	0	10	0	0	0	0	0							0.014	24			
	NEW YORK, CONNECTICUT & RHODE ISLAND																																
146	Mashantucket Pequot Police Department	A		6	Mashantucket, CT	Mashantucket Pequot Tribal	313	725	851	O	1995	66,766	N/A	Y	Y	Y	N	0	32	0	0	0	0	0			1107	4979	11203	0.017	0.014	12			
147	Mohegan Police Department	A		6	Uncasville, CT	Mohegan Tribe	1659	1611	4425	O	2000		N/A	Y	Y	Y	N	0	52	0	0	0	0	0			1738	6145	26319	0.034	0.014	62			
148	Narragansett Tribal Police Department	A		6	Charlestown, RI	Narragansett Indian Tribe	2620	2748	5764	O	2000	1,936	N/A	Y	N	Y	N	0	5	0	0	0	0	0			182	582	3166	0.004	0.010	58			
149	Oneida Police Department	A		6	Canastota, NY	Oneida Nation of New York	26	650	70	O	1995	5,000	N/A	Y	Y	Y	N	0	43	0	0	0	0	0			1646	31.4462	191231	0.508	0.014	1			
150	St. Regis Mohawk Police Department	A		6	Hogansburg, NY	St. Regis Band of Mohawk I	2699	10830	6768	O	1998	5,400	N/A	Y	Y	Y	Y	0	23	0	0	0	0	0			268	702	20647	0.024	0.012	84			
	FLORIDA																																
151	Miccosukee Police Department	A		6	Miami, FL	Miccosukee Tribe	350	589	1485	O	1976	5,000	N/A	Y	Y	Y	N	0	38	0	0	0	0	0			2277	13243	107391	0.125	0.014	21			
152	Seminole Police Department	A		6	Hollywood, FL	Seminole Tribe of Florida		2989		O			N/A	Y	Y	Y	N	0	266	0	0	0	0	0			2839	18432	75606	0.095	0.014	41			

Appendix H6
Crime Statistics - BIA Office of Justice Services

Crime Statistics collected by OJS-BIA as of January 2008 with 164 (68%) of the agencies reporting

District	Agency	Type of Program	Service Population	Incarceration needs based on Crime per 100,000 as a percentage of service population	2007 Incarceration Factor	Violent Crime	Violent Crime as a percentage of service population	2007 Violent Crime Rate per 100,000 Inhabitants	Property Crime	Property Crime as a percentage of service population	2007 Property Crime Rate per 100,000 Inhabitants	Other Than Part I Crime	Other Crime as percentage of service population	2007 Other Crime Rate per 100,000 Inhabitants
1	30 Agencies Reporting													
	Bay Mills	638	1,268	24.29	0.024	2	0.158	158	33	2.603	2,603	273	21.530	21,530
	Cheyenne River	638	8,500	110.20	0.110	89	1.047	1,047	14	0.165	165	9,264	108.988	108,988
	Crow Creek	BIA	2,225	42.43	0.042	22	0.989	989	13	0.584	584	909	40.854	40,854
	Flandreau	638	1,910	14.03	0.014	2	0.105	105	14	0.733	733	252	13.194	13,194
	Ft. Berthold	638	8,396	8.81	0.009	19	0.226	226	0	0.000	0	73	8.587	8,587
	Ft. Totten	BIA	6,223	49.19	0.049	89	1.430	1,430	121	1.944	1,944	2,851	45.814	45,814
	Grand Traverse	SG	1,759	18.19	0.018	4	0.227	227	10	0.569	569	306	17.396	17,396
	Hannahville	638	583	158.66	0.159	19	3.259	3,259	262	44.940	44,940	644	110.463	110,463
	Keweenaw Bay	638	3,325	1.83	0.002	0	0.000	0	16	0.481	481	45	1.353	1,353
	Lac Du Flambeau	638	5,809	51.87	0.052	22	0.579	579	375	9.868	9,868	1,574	41.421	41,421
	Lac Vieux Desert	638	322	184.16	0.184	4	1.242	1,242	51	15.839	15,839	538	167.081	167,081
	Little River Band of Ottawa	638	1,382	14.47	0.014	4	0.289	289	49	3.546	3,546	147	10.637	10,637
	Little Traverse Bay Band	638	1,200	2.75	0.003	2	0.167	167	4	0.333	333	27	2.250	2,250
	Lower Brule	BIA	1,590	100.25	0.100	14	0.881	881	1	0.063	63	1,579	99.308	99,308
	Lower Sioux	638	737	20.22	0.020	5	0.678	678	18	2.442	2,442	126	17.096	17,096
	Menominee	638	5,111	11.80	0.012	49	0.959	959	144	2.817	2,817	410	8.022	8,022
	Minnesota	BIA	1,000	19.00	0.019	6	0.600	600	3	0.300	300	181	18.100	18,100
	Oglala Sioux	638	45,000	21.96	0.022	81	0.180	180	63	0.140	140	9,736	21.636	21,636
	Omaha Tribe of Nebraska	638	5,227	44.63	0.045	118	2.258	2,258	157	3.004	3,004	2,058	39.372	39,372
	Oneida Police - WI	SG	20,000	13.58	0.014	8	0.040	40	135	0.675	675	2,572	12.860	12,860

District	Agency	Type of Program	Service Population	Incarceration needs based on Crime per 100,000 as a percentage of service population	2007 Incarceration Factor	Violent Crime	Violent Crime as a percentage of service population	2007 Violent Crime Rate per 100,000 Inhabitants	Property Crime	Property Crime as a percentage of service population	2007 Property Crime Rate per 100,000 Inhabitants	Other Than Part I Crime	Other Crime as percentage of service population	2007 Other Crime Rate per 100,000 Inhabitants
I continued	Pine Ridge	BIA	45,000	0.54	0.001	64	0.142	142	34	0.076	76	143	0.318	318
	Red Cliff	638	2,513	6.84	0.007	5	0.199	199	56	2.228	2,228	111	4.417	4,417
	Rosebud	638	21,417	83.85	0.084	190	0.887	887	551	2.573	2,573	17,217	80.389	80,389
	Saginaw Chippewa	638	1,447	45.96	0.046	25	1.728	1,728	87	6.012	6,012	553	38.217	38,217
	Sisseton-Wahpeton	638	11,266	8.70	0.009	4	0.036	36	59	0.524	524	917	8.140	8,140
	Standing Rock	BIA	10,633	16.20	0.016	121	1.138	1,138	60	0.564	564	1,542	14.502	14,502
	Stockbridge Munsee	638	737	39.08	0.039	5	0.678	678	74	10.041	10,041	209	28.358	28,358
	Turtle Mountain	BIA	15,000	39.85	0.040	112	0.747	747	389	2.593	2,593	5,476	36.507	36,507
	Winnebago	BIA	4,343	46.37	0.046	43	0.990	990	45	1.036	1,036	1,926	44.347	44,347
	Yankton	BIA	3,500	30.03	0.030	28	0.800	800	35	1.000	1,000	988	28.229	28,229
II	**26 Agencies Reporting**													
	Absentee-Shawnee TPD	SG	12,721	5.51	0.006	8	0.063	63	27	0.212	212	666	5.235	5,235
	Anadarko Agency	BIA	18,154	4.49	0.004	3	0.017	17	45	0.248	248	767	4.225	4,225
	Cherokee TPD	SG	123,215	0.33	0.000	13	0.011	11	38	0.031	31	360	0.292	292
	Choctaw TPD OKA	SG	209,353	0.30	0.000	1	0.000	0	132	0.063	63	489	0.234	234
	Cit Potawatomi TPD Okla	SG	11,011	3.29	0.003	15	0.136	136	231	2.098	2,098	116	1.053	1,053
	Comanche	638	11,722	4.49	0.004	8	0.068	68	93	0.793	793	390	3.327	3,327
	Concho	BIA	7,147	5.65	0.006	3	0.042	42	36	0.504	504	365	5.107	5,107
	Eastern Shawnee Tribe Okla	SG	592	64.53	0.065	2	0.338	338	57	9.628	9,628	323	54.561	54,561
	Iowa-Oklahoma	638	3,824	2.72	0.003	1	0.026	26	4	0.105	105	99	2.589	2,589
	Iowa Tribe of Kansas & Nebraska	638	3,845	3.59	0.004	1	0.026	26	1	0.026	26	136	3.537	3,537
	Kaw TPD	SG	3,621	2.62	0.003	0	0.000	0	19	0.525	525	76	2.099	2,099
	Kickapoo TPD Okla	SG	2,675	38.65	0.039	4	0.150	150	20	0.748	748	1,010	37.757	37,757
	Miami	BIA	811	67.94	0.068	0	0.000	0	46	5.672	5,672	505	62.269	62,269
	Muscogee-Cree TPD	SG	55,817	1.26	0.001	3	0.005	5	94	0.168	168	609	1.091	1,091
	Osage	638	11,960	4.13	0.004	3	0.025	25	65	0.543	543	426	3.562	3,562
	Otoe-Missouria	638	930	7.85	0.008	2	0.215	215	12	1.290	1,290	59	6.344	6,344

Appendix H6
Crime Statistics - BIA Office of Justice Services

District	Agency	Type of Program	Service Population	Incarceration needs based on Crime per 100,000 as a percentage of service population	2007 Incarceration Factor	Violent Crime	Violent Crime as a percentage of service population	2007 Violent Crime Rate per 100,000 Inhabitants	Property Crime	Property Crime as a percentage of service population	2007 Property Crime Rate per 100,000 Inhabitants	Other Than Part I Crime	Other Crime as percentage of service population	2007 Other Crime Rate per 100,000 Inhabitants
II continued	Pawnee Tribe	638	15,433	0.29	0.000	1	0.006	6	5	0.032	32	39	0.253	253
	Ponca Tribe Okla	638	2,675	8.07	0.008	6	0.224	224	43	1.607	1,607	167	6.243	6,243
	Prairie Band of Potawatomi-Kansas	638	2,018	29.93	0.030	14	0.694	694	41	2.032	2,032	549	27.205	27,205
	Sac and Fox Tribes Okla	SG	8,523	5.74	0.006	28	0.329	329	22	0.258	258	439	5.151	5,151
	Sac & Fox Tribe Kansas	638	422	18.01	0.018	0	0.000	0	6	1.422	1,422	70	16.588	16,588
	Seminole Nation Lighthorsemen	638	4,013	11.86	0.012	2	0.050	50	10	0.249	249	464	11.562	11,562
	Southern Plains	BIA	1,079	2.59	0.003	2	0.185	185	5	0.463	463	21	1.946	1,946
	Tonkawa	638	1,102	21.14	0.021	1	0.091	91	4	0.363	363	228	20.690	20,690
	Wewoka	BIA	24,489	0.23	0.000	1	0.004	4	5	0.020	20	51	0.208	208
	Wyandotte TPD	SG	2,159	2.04	0.002	1	0.046	46	0	0.000	0	43	1.992	1,992
III	37 Agencies Reporting													
	Ak Chin	SG	984	1.52	0.002	4	0.407	407	7	0.711	711	4	0.407	407
	Cocopah	638	1,081	115.91	0.116	33	3.053	3,053	47	4.348	4,348	1,173	108.511	108,511
	Colorado River Indian Tribe	638	3,000	124.00	0.124	14	0.467	467	369	12.300	12,300	3,337	111.233	111,233
	Duckwater	SG	149	17.45	0.017	0	0.000	0	0	0.000	0	26	17.450	17,450
	Ely Shoshone	SG	300	13.33	0.013	1	0.333	333	9	3.000	3,000	30	10.000	10,000
	E. Nevada	BIA	2,000	9.65	0.010	5	0.250	250	0	0.000	0	188	9.400	9,400
	Fallon	638	1,100	39.82	0.040	2	0.182	182	21	1.909	1,909	415	37.727	37,727
	Ft. Apache	BIA	18,000	1.01	0.001	125	0.694	694	16	0.089	89	40	0.222	222
	Ft. McDowell	638	1,000	145.00	0.145	21	2.100	2,100	73	7.300	7,300	1,356	135.600	135,600
	Ft. Mohave	638	534	438.95	0.439	28	5.243	5,243	165	30.899	30,899	2,151	402.809	402,809
	Gila River TPD	SG	11,021	42.14	0.042	241	2.187	2,187	593	5.373	5,373	3,811	34.579	34,579
	Hoopa TPD	SG	3,500	72.57	0.073	49	1.400	1,400	140	4.000	4,000	2,351	67.171	67,171
	Hopi	BIA	7,207	42.65	0.043	16	0.222	222	1	0.014	14	3,057	42.417	42,417
	Hualapai Tribe	638	1,901	132.72	0.133	128	6.735	6,733	47	2.472	2,472	2,348	123.514	123,514
	Las Vegas Paiute	638	60	798.33	0.798	2	3.333	3,333	45	75.000	75,000	432	720.000	720,000
	Lovelock	638	150	100.00	0.100	2	1.333	1,333	4	2.667	2,667	144	96.000	96,000
	Moapa	638	250	159.60	0.160	11	4.400	4,400	27	10.800	10,800	361	144.400	144,400

District	Agency	Type of Program	Service Population	Incarceration needs based on Crime per 100,000 as a percentage of service population	2007 Incarceration Factor	Violent Crime	Violent Crime as a percentage of service population	2007 Violent Crime Rate per 100,000 Inhabitants	Property Crime	Property Crime as a percentage of service population	2007 Property Crime Rate per 100,000 Inhabitants	Other Than Part I Crime	Other Crime as percentage of service population	2007 Other Crime Rate per 100,000 Inhabitants
III continued	Pascua Yaqui	638	10,075	28.79	0.029	102	1.012	1,012	171	1.697	1,697	2,628	26.084	26,084
	Pyramid Lake	638	2,054	20.84	0.021	8	0.389	389	10	0.487	487	410	19.961	19,961
	Quechan Tribe	638	1,200	37.08	0.037	34	2.833	2,833	60	5.000	5,000	351	29.250	29,250
	Reno-Sparks Indian Colony	638	1,050	69.05	0.069	12	1.143	1,143	35	3.333	3,333	678	64.571	64,571
	Salt River TPD	SG	7,605	79.58	0.080	77	1.012	1,012	754	9.915	9,915	5,221	68.652	68,652
	San Carlos Apache	638	12,776	90.47	0.090	136	1.064	1,064	546	4.274	4,274	10,876	85.128	85,128
	S. Paiute	BIA	220	12.73	0.013	1	0.455	455	1	0.455	455	26	11.818	11,818
	Table Mountain	638	115	384.35	0.384	3	2.609	2,609	78	67.826	67,826	361	313.913	313,913
	Tohono O'dham Nation	638	26,000	18.40	0.018	145	0.558	558	431	1.658	1,658	4,209	16.188	16,188
	Truxton Canon	BIA	600	57.83	0.058	35	5.833	5,833	5	0.833	833	307	51.167	51,167
	Uintah & Ouray	BIA	15,000	20.47	0.020	33	0.220	220	20	0.133	133	3,017	20.113	20,113
	Walker River	638	900	51.11	0.051	14	1.556	1,556	19	2.111	2,111	427	47.444	47,444
	Washoe	638	1,580	56.14	0.056	37	2.342	2,342	28	1.772	1,772	822	52.025	52,025
	Wells Indian Colony	638	150	51.33	0.051	0	0.000	0	1	0.667	667	76	50.667	50,667
	White Mountain Apache	638	12,429	65.38	0.065	188	1.513	1,513	512	4.119	4,119	7,426	59.747	59,747
	W. Nevada	BIA	1,002	17.76	0.018	8	0.798	798	4	0.399	399	166	16.567	16,567
	Yavapai Apache	638	1,829	14.32	0.014	7	0.383	383	24	1.312	1,312	231	12.630	12,630
	Yavapai Prescott	638	182	331.87	0.332	7	3.846	3,846	82	45.055	45,055	515	282.967	282,967
	Yerrington	638	506	58.89	0.059	5	0.988	988	11	2.174	2,174	282	55.731	55,731
	Yomba	638	100	3.00	0.003	0	0.000	0	0	0.000	0	3	3.000	3,000
IV	**18 Agencies Reporting**													
	Acoma TPD	638	4,762	17.28	0.017	11	0.231	231	12	0.252	252	800	16.800	16,800
	Isleta	638	4,441	24.27	0.024	26	0.585	585	120	2.702	2,702	932	20.986	20,986
	Jemez	638	2,557	10.69	0.011	20	0.782	782	17	0.665	665	234	9.151	9,151
	Laguna	638	5,895	17.66	0.018	9	0.153	153	60	1.018	1,018	972	16.489	16,489
	Mescalero	BIA	4,312	73.98	0.074	172	3.989	3,989	77	1.786	1,786	2,941	68.205	68,205
	Navajo Nation	638	185,190	63.38	0.063	438	0.237	237	1,687	0.911	911	115,248	62.232	62,232
	N. Pueblos	BIA	15,814	7.15	0.007	35	0.221	221	45	0.285	285	1,051	6.646	6,646
	Ohkay Owingeh	638	2,068	16.59	0.017	4	0.193	193	23	1.112	1,112	316	15.280	15,280
	Pojoaque	638	348	640.80	0.641	4	1.149	1,149	50	14.368	14,368	2,176	625.287	625,287
	Ramah Navajo	638	3,100	36.16	0.036	2	0.065	65	97	3.129	3,129	1,022	32.968	32,968

District	Agency	Type of Program	Service Population	Incarceration needs based on Crime per 100,000 as a percentage of service population	2007 Incarceration Factor	Violent Crime	Violent Crime as a percentage of service population	2007 Violent Crime Rate per 100,000 Inhabitants	Property Crime	Property Crime as a percentage of service population	2007 Property Crime Rate per 100,000 Inhabitants	Other Than Part I Crime	Other Crime as percentage of service population	2007 Other Crime Rate per 100,000 Inhabitants
IV continued	Santa Ana	638	716	71.37	0.071	3	0.419	419	40	5.587	5,587	468	65.363	65,363
	Southern Ute	638	1,399	663.62	0.664	42	3.002	3,002	16	1.144	1,144	9,236	659.471	659,471
	S. Pueblos	BIA	10,432	16.28	0.016	47	0.451	451	44	0.422	422	1,607	15.405	15,405
	Taos Tribal Police Department	638	2,600	10.81	0.011	6	0.231	231	1	0.038	38	274	10.538	10,538
	Tesuque	638	435	23.22	0.023	0	0.000	0	7	1.609	1,609	94	21.609	21,609
	Ute Mountain Ute	BIA	3,000	72.33	0.073	23	0.767	767	8	0.267	267	2,145	71.500	71,500
	Ysleta Del Sur	638	1,002	27.54	0.028	13	1.297	1,297	39	3.892	3,892	224	22.355	22,355
	Zuni TPD	638	9,997	17.17	0.017	26	0.260	260	41	0.410	410	1,649	16.495	16,495
V	**37 Agencies Reporting**													
	Assiboine and Sioux Tribe	638	7,036	54.94	0.054	110	1.563	1,563	258	3.667	3,667	3,434	48.806	48,806
	Blackfeet	BIA	8,000	427.89	0.428	568	7.100	7,100	565	7.063	7,063	33,098	413.725	413,725
	Burns-Paiute Tribe	638	243	29.22	0.029	0	0.000	0	0	0.000	0	71	29.218	29,218
	Chehalis Business Council	638	3,436	25.17	0.025	2	0.058	58	69	2.008	2,008	794	23.108	23,108
	Chippawa Cree TPD-NR	SG	3,200	74.47	0.074	57	1.781	1,781	14	0.438	438	2,312	72.250	72,250
	Coeur D'Alene	638	10,000	49.30	0.049	124	1.240	1,240	78	0.780	780	4,728	47.280	47,280
	Confederated Tribes - Colville	638	9023	0.12	0.000	2	0.022	22	2	0.022	22	7	0.078	78
	Confederated Tribes - Coquille	PL280	300	5.67	0.006	0	0.000	0	3	1.000	1,000	14	4.667	4,667
	Crow	BIA	7,739	90.10	0.090	40	0.517	517	189	2.442	2,442	6,744	87.143	87,143
	Flathead TPD	SG	28,297	11.54	0.012	101	0.357	357	196	0.693	693	2,969	10.492	10,492
	Ft. Belknap Community Council	638	4,834	6.87	0.007	5	0.103	103	5	0.103	103	322	6.661	6,661
	Hoh Police Department	BIA	150	150.00	0.150	0	0.000	0	14	9.333	9,333	211	140.667	140,667
	Jamestown S'Klallam Tribe	SG	559	14.49	0.014	3	0.537	537	0	0.000	0	78	13.953	13,953
	Kalispel Business Committee	638	200	92.90	0.092	1	0.500	500	17	8.500	8,500	166	83.000	83,000
	Metlakatla TPD	SG	2,781	12.33	0.012	0	0.000	0	4	0.144	144	339	12.190	12,190
	Neah Bay -- Makah TPD	SG	1,237	42.52	0.043	3	0.243	243	14	1.132	1,132	509	41.148	41,148
	Nez Perce Tribe	638	3,327	35.08	0.035	16	0.481	481	110	3.306	3,306	1,041	31.289	31,289
	Nisqually TPD-NR	SG	6,200	1.15	0.001	2	0.032	32	7	0.113	113	62	1.000	1,000
	Nooksack Tribal Council	638	825	25.45	0.025	18	2.182	2,182	62	7.515	7,515	130	15.758	15,758
	N. Cheyenne	BIA	10,986	41.21	0.041	45	0.410	410	60	0.546	546	4,422	40.251	40,251
	Olympic Peninsula	BIA	172	57.56	0.058	1	0.581	581	18	10.465	10,465	80	46.512	46,512

District	Agency	Type of Program	Service Population	Incarceration needs based on Crime per 100,000 as a percentage of service population	2007 Incarceration Factor	Violent Crime	Violent Crime as a percentage of service population	2007 Violent Crime Rate per 100,000 Inhabitants	Property Crime	Property Crime as a percentage of service population	2007 Property Crime Rate per 100,000 Inhabitants	Other Than Part I Crime	Other Crime as percentage of service population	2007 Other Crime Rate per 100,000 Inhabitants
V continued	Port Gamble TPD-NR	SG	1,169	39.40	0.039	16	1.379	1,379	31	2.672	2,672	410	35.345	35,345
	Puyallup Tribal Council	638	3,224	18.02	0.018	6	0.186	186	94	2.916	2,916	481	14.919	14,919
	Quileute Tribal Council	638	650	56.00	0.056	19	2.923	2,923	32	4.923	4,923	315	48.154	48,154
	Quinault TPD-NR	SG	3,203	87.73	0.088	1	0.031	31	23	0.718	718	2,786	86.981	86,981
	Sauk-Suiattle Indian Tribe	638	100	38.00	0.038	1	1.000	1,000	2	2.000	2,000	35	35.000	35,000
	Shoshone Bannock	638	5,759	213.28	0.213	27	0.469	469	90	1.563	1,563	12,166	211.252	211,252
	Siletz TPD-NR	SG	308	99.03	0.099	1	0.325	325	62	20.130	20,130	242	78.571	78,571
	Skokomish TPD-NR	SG	1,500	55.13	0.055	26	1.733	1,733	99	6.600	6,600	702	46.800	46,800
	Spokane	BIA	3,900	29.43	0.029	34	1.133	1,133	48	1.600	1,600	801	26.700	26,700
	Suquamish TPD-NR	SG	3,783	17.21	0.017	4	0.106	106	119	3.146	3,146	528	13.957	13,957
	Tulalip TPD-NR	SG	3,604	68.42	0.068	25	0.694	694	118	3.274	3,274	2,323	64.456	64,456
	Umatilla TPD-NR	SG	2,623	21.70	0.022	9	0.343	343	92	3.509	3,509	468	17.849	17,849
	Upper Skagit Tribal Council	638	304	24.34	0.024	0	0.000	0	3	0.987	987	71	23.355	23,355
	Warm Springs	638	3,355	108.23	0.108	194	5.782	5,782	354	10.551	10,551	3,083	91.893	91,893
	Wind River	BIA	11,257	44.71	0.045	76	0.677	677	72	0.641	641	4,872	43.295	43,395
	Yakima Tribal Council	638	16,806	15.61	0.016	5	0.030	30	392	2.333	2,333	2,226	13.245	13,245
VI	**16 Agencies Reporting**													
	Cherokee Police Department	638	7,477	3.77	0.004	19	0.254	254	73	0.976	976	190	2.541	2,541
	Chitimacha Police Department	638	450	91.33	0.091	1	0.222	222	60	13.333	13,333	350	77.778	77,778
	Choctaw Police Department	638	8,099	33.09	0.033	154	1.901	1,901	165	2.037	2,037	2,361	29.152	29,152
	Coushatta Police Department	638	819	44.20	0.044	8	0.977	977	102	12.454	12,454	252	30.769	30,769
	Mashantucket Police Department	638	723	17.29	0.017	8	1.107	1,107	36	4.979	4,979	81	11.203	11,203
	Miccosukee Police Department	638	589	122.92	0.123	14	2.377	2,377	78	13.243	13,243	632	107.301	107,301
	Mohegan Police Department	Tribal	1,611	54.20	0.054	28	1.738	1,738	90	6.145	6,145	424	26.319	26,319
	Narragansett Police Department	638	2,748	3.93	0.004	5	0.182	182	16	0.582	582	87	3.166	3,166
	Oneida Nation Police Department	638	650	507.54	0.508	12	1.846	1,846	2,044	314.462	314,462	1,243	191.231	191,231
	Passamaquoddy Indian Township	638	707	100.42	0.100	2	0.283	283	84	11.881	11,881	624	88.260	88,260
	Passamaquoddy Pleasant Point	638	1,158	54.40	0.054	5	0.432	432	207	17.876	17,876	418	36.097	36,097
	Penobscot Nation	638	540	165.74	0.166	5	0.926	926	68	12.593	12,593	822	152.222	152,222
	Poarch Creek Police Department	638	2,389	23.15	0.023	2	0.084	84	42	1.758	1,758	509	21.306	21,306
	Seminole Police Department	638	2,959	94.90	0.095	84	2.839	2,839	546	18.452	18,452	2,178	73.606	73,606
	St. Regis Police Department	638	10,830	24.02	0.024	29	0.268	268	76	0.702	702	2,496	23.047	23,047
	Tunica-Biloxi Police Department	638	318	122.33	0.122	15	4.717	4,717	118	37.107	37,107	256	80.503	80,503

Appendix I

Detailed Capital Costs for Replacement Facilities
Tier I, Tier II and Tier III

Detailed capital construction costs have been developed for the fourteen individual Facility Types within Tier I, Tier II and Tier III..

The construction cost is based on the Year 2011 dollars. The cost does not take into consideration the cost of land. Approximately 5 to 7 acres will be needed for a single/two story facility relatively away from the business and residential center.

The cost does include removing the existing building.

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

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

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

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

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 6,532,736.21
Total Facility Soft Costs - Items 1 through Item 10						$ 2,767,470.38
1. Reserve Fund - 10% of Building Hard Cost						$ 376,526.58
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost						$ 602,442.53
From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 263,568.61
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 225,915.95
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 56,478.99
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 677,747.85
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 94,131.65
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 112,957.97
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 75,305.32
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 225,915.95
Management Assistance during Construction - 6%		
8. M & I Government		$ 18,826.33
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 18,826.33
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 18,826.33
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 3,765,265.83
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 728,761.13
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 3,036,504.70
Including Markup, from next page		
Special Structures		

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 3,036,504.70**
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	5,000	SF	$ 2.48	$ 12,400.00	$ 1,860.00	$ 14,260.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	5,000	SF	$ 0.78	$ 3,875.00	$ 581.25	$ 4,456.25
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	5,000	SF	$ 1.85	$ 9,250.00	$ 1,387.50	$ 10,637.50
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	5,000	SF	$ 19.89	$ 99,437.50	$ 14,915.63	$ 114,353.13
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	5,000	SF	$ 13.56	$ 67,812.50	$ 10,171.88	$ 77,984.38
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	5,000	SF	$ 11.64	$ 58,187.50	$ 8,728.13	$ 66,915.63
B2030	Exterior Doors	Metal Doors	5,000	SF	$ 13.03	$ 65,125.00	$ 9,768.75	$ 74,893.75
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	5,000	SF	$ 7.81	$ 39,062.50	$ 5,859.38	$ 44,921.88
B3010	Roof Covering	Elastomeric Membrane	5,000	SF	$ 2.09	$ 10,437.50	$ 1,565.63	$ 12,003.13
B3020	Roof Openings	Roof Hatches	5,000	SF	$ 0.03	$ 125.00	$ 18.75	$ 143.75

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	5,000	SF	$ 5.18	$ 25,875.00	$ 3,881.25	$ 29,756.25
C1020	Interior Doors	Hollow Metal Fire Doors	5,000	SF	$ 10.19	$ 50,937.50	$ 7,640.63	$ 58,578.13
C3010	Wall Finishes	Paint - 2 coats, 2 sides	5,000	SF	$ 2.36	$ 11,812.50	$ 1,771.88	$ 13,584.38
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	5,000	SF	$ 4.32	$ 21,600.00	$ 3,240.00	$ 24,840.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	5,000	SF	$ 2.41	$ 12,050.00	$ 1,807.50	$ 13,857.50
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	5,000	SF	$ 13.71	$ 68,562.50	$ 10,284.38	$ 78,846.88
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	5,000	SF	$ 12.35	$ 61,745.00	$ 9,261.75	$ 71,006.75
D2040	Rain Water Drainage	Roof Drains	5,000	SF	$ 0.64	$ 3,187.50	$ 478.13	$ 3,665.63
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	5,000	SF	$ 18.78	$ 93,875.00	$ 14,081.25	$ 107,956.25
D4030	Fire Protection	Sprinklers	5,000	SF	$ 6.91	$ 34,562.50	$ 5,184.38	$ 39,746.88
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	5,000	SF	$ 5.64	$ 28,193.00	$ 4,228.95	$ 32,421.95
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	5,000	SF	$ 24.30	$ 121,495.50	$ 18,224.33	$ 139,719.83
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	5,000	SF	$ 10.32	$ 51,609.50	$ 7,741.43	$ 59,350.93
D5090	Emergency Backup	Emergency Generator and Transfer Switch	5,000	SF	$ 8.42	$ 42,075.00	$ 6,311.25	$ 48,386.25

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	5,000	SF	$ 139.16	$ 695,782.50	$ 104,367.38	$ 800,149.88
E1030	ADA Requirements	ADA Requirements for Staff and inmates	5,000	SF	$ 4.50	$ 22,500.00	$ 3,375.00	$ 25,875.00
E1040	Warmup-Kitchen	Kitchen Equipment	5,000	SF	$ 9.43	$ 47,150.00	$ 7,072.50	$ 54,222.50
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 283,154.81
G	**Special Construction**							
G1010			5,000	SF	$ 351.75			
		Building Hard Cost per Sq Ft and Sub-Total			**$ 301.11**			**$ 2,305,689.13**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	1,680	LF	$ 16.89	$ 28,375.20	$ 4,256.28	$ 32,631.48
H2010	Parking Lot and Paving	Parking, Courtyard Paving, Curbs	7,500	SF	$ 23.33	$ 174,975.00	$ 26,246.25	$ 201,221.25
H4020	Site Lighting	30' Two Arm Brackets	3	EA	$ 2,700.00	$ 8,100.00	$ 1,215.00	$ 9,315.00
H4030	Storm Drainage	Storm Drainage	1,210	LF	$ 32.30	$ 39,083.00	$ 5,862.45	$ 44,945.45
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	SF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	1,520	LF	$ 62.18	$ 94,513.60	$ 14,177.04	$ 108,690.64
H5010	Propane Tanks	Tanks & Associated Piping	5,000	SF	$ 1.02	$ 5,100.00	$ 765.00	$ 5,865.00
H5020	Elect/Tel Connection	Extensions, coordination	250	LF	$ 197.50	$ 49,375.00	$ 7,406.25	$ 56,781.25
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	5,000	SF	$ 3.11	$ 15,550.00	$ 2,332.50	$ 17,882.50
H5040	Landscaping	Walkways, Lawn, Trees/bushes	3,200	SF	$ 3.35	$ 10,720.00	$ 1,608.00	$ 12,328.00
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Infrastucture and Building Sitework Sub-total						**$ 730,815.57**

DRAFT

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 7,142,322.03
Total Facility Soft Costs - Items 1 through Item 10						$ 3,025,709.91
1. Reserve Fund - 10% of Building Hard Cost						$ 411,661.21
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost						$ 658,657.94
From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 288,162.85
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 246,996.73
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 61,749.18
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 740,990.18
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 102,915.30
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 123,498.36
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 82,332.24
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 246,996.73
Management Assistance during Construction - 6%		
8. M & I Government		$ 20,583.06
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 20,583.06
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 20,583.06
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 4,116,612.12
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 796,763.64
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 3,319,848.48
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 3,319,848.48
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	5,875	SF	$ 2.48	$ 14,570.00	$ 2,185.50	$ 16,755.50
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	5,875	SF	$ 0.78	$ 4,553.13	$ 682.97	$ 5,236.09
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	5,875	SF	$ 1.85	$ 10,868.75	$ 1,630.31	$ 12,499.06
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	5,875	SF	$ 19.89	$ 116,839.06	$ 17,525.86	$ 134,364.92
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	5,875	SF	$ 13.56	$ 79,679.69	$ 11,951.95	$ 91,631.64
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	5,875	SF	$ 11.64	$ 68,370.31	$ 10,255.55	$ 78,625.86
B2030	Exterior Doors	Metal Doors	5,875	SF	$ 13.03	$ 76,521.88	$ 11,478.28	$ 88,000.16
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	5,875	SF	$ 7.81	$ 45,898.44	$ 6,884.77	$ 52,783.20
B3010	Roof Covering	Elastomeric Membrane	5,875	SF	$ 2.09	$ 12,264.06	$ 1,839.61	$ 14,103.67
B3020	Roof Openings	Roof Hatches	5,875	SF	$ 0.03	$ 146.88	$ 22.03	$ 168.91

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	5,875	SF	$ 5.18	$ 30,403.13	$ 4,560.47	$ 34,963.59
C1020	Interior Doors	Hollow Metal Fire Doors	5,875	SF	$ 10.19	$ 59,851.56	$ 8,977.73	$ 68,829.30
C3010	Wall Finishes	Paint - 2 coats, 2 sides	5,875	SF	$ 2.36	$ 13,879.69	$ 2,081.95	$ 15,961.64
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	5,875	SF	$ 4.32	$ 25,380.00	$ 3,807.00	$ 29,187.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	5,875	SF	$ 2.41	$ 14,158.75	$ 2,123.81	$ 16,282.56
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	5,875	SF	$ 13.71	$ 80,560.94	$ 12,084.14	$ 92,645.08
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	5,875	SF	$ 12.35	$ 72,550.38	$ 10,882.56	$ 83,432.93
D2040	Rain Water Drainage	Roof Drains	5,875	SF	$ 0.64	$ 3,745.31	$ 561.80	$ 4,307.11
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	5,875	SF	$ 18.78	$ 110,303.13	$ 16,545.47	$ 126,848.59
D4030	Fire Protection	Sprinklers	5,875	SF	$ 6.91	$ 40,610.94	$ 6,091.64	$ 46,702.58
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	5,875	SF	$ 5.64	$ 33,126.78	$ 4,969.02	$ 38,095.79
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	5,875	SF	$ 24.30	$ 142,757.21	$ 21,413.58	$ 164,170.79
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	5,875	SF	$ 10.32	$ 60,641.16	$ 9,096.17	$ 69,737.34
D5090	Emergency Backup	Emergency Generator and Transfer Switch	5,875	SF	$ 8.42	$ 49,438.13	$ 7,415.72	$ 56,853.84

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	5,875	SF	$ 123.02	$ 722,725.50	$ 108,408.83	$ 831,134.33
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	5,875	SF	$ 4.50	$ 26,437.50	$ 3,965.63	$ 30,403.13
E1040	Warmup-Kitchen	Kitchen Equipment	5,875	SF	$ 9.43	$ 55,401.25	$ 8,310.19	$ 63,711.44
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 317,441.05
G	**Special Construction**							
G1010			5,875	SF	$ 335.61			
		Building Hard Cost per Sq Ft and Sub-Total			**$ 298.51**			**$ 2,584,877.10**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	1,680	LF	$ 16.89	$ 28,375.20	$ 4,256.28	$ 32,631.48
H2010	Parking Lot and Paving	Parking, Courtyard Paving, Curbs	7,500	SF	$ 23.33	$ 174,975.00	$ 26,246.25	$ 201,221.25
H4020	Site Lighting	30' Two Arm Brackets	3	EA	$ 2,700.00	$ 8,100.00	$ 1,215.00	$ 9,315.00
H4030	Storm Drainage	Storm Drainage	1,210	LF	$ 32.30	$ 39,083.00	$ 5,862.45	$ 44,945.45
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	SF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	1,520	LF	$ 62.18	$ 94,513.60	$ 14,177.04	$ 108,690.64
H5010	Propane Tanks	Tanks & Associated Piping	5,875	SF	$ 1.02	$ 5,992.50	$ 898.88	$ 6,891.38
H5020	Elect/Tel Connection	Extensions, coordination	250	LF	$ 197.50	$ 49,375.00	$ 7,406.25	$ 56,781.25
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	5,875	SF	$ 3.11	$ 18,271.25	$ 2,740.69	$ 21,011.94
H5040	Landscaping	Walkways, Lawn, Trees/bushes	3,200	SF	$ 3.35	$ 10,720.00	$ 1,608.00	$ 12,328.00
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Building Sitework and Infrastructure Sub-Total						**$ 734,971.38**

DRAFT

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 8,033,393.32
Total Facility Soft Costs - Items 1 through Item 10						$ 3,403,195.44
1. Reserve Fund - 10% of Building Hard Cost						$ 463,019.79
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 740,831.66
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 324,113.85
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 277,811.87
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 69,452.97

1077

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 833,435.62
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 115,754.95
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 138,905.94
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 92,603.96
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 277,811.87
Management Assistance during Construction - 6%		
8. M & I Government		$ 23,150.99
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 23,150.99
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 23,150.99
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 4,630,197.88
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 896,167.33
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 3,734,030.55
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 3,734,030.55
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	6,300	SF	$ 2.48	$ 15,624.00	$ 2,343.60	$ 17,967.60
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	6,300	SF	$ 0.78	$ 4,882.50	$ 732.38	$ 5,614.88
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	6,300	SF	$ 1.85	$ 11,655.00	$ 1,748.25	$ 13,403.25
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	6,300	SF	$ 19.89	$ 125,291.25	$ 18,793.69	$ 144,084.94
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	6,300	SF	$ 13.56	$ 85,443.75	$ 12,816.56	$ 98,260.31
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	6,300	SF	$ 11.64	$ 73,316.25	$ 10,997.44	$ 84,313.69
B2030	Exterior Doors	Metal Doors	6,300	SF	$ 13.03	$ 82,057.50	$ 12,308.63	$ 94,366.13
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	6,300	SF	$ 7.81	$ 49,218.75	$ 7,382.81	$ 56,601.56
B3010	Roof Covering	Elastomeric Membrane	6,300	SF	$ 2.09	$ 13,151.25	$ 1,972.69	$ 15,123.94
B3020	Roof Openings	Roof Hatches	6,300	SF	$ 0.03	$ 157.50	$ 23.63	$ 181.13

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	**Interiors**							
C1010	Partitions	Concrete Block	6,300	SF	$ 5.18	$ 32,602.50	$ 4,890.38	$ 37,492.88
C1020	Interior Doors	Hollow Metal Fire Doors	6,300	SF	$ 10.19	$ 64,181.25	$ 9,627.19	$ 73,808.44
C3010	Wall Finishes	Paint - 2 coats, 2 sides	6,300	SF	$ 2.36	$ 14,883.75	$ 2,232.56	$ 17,116.31
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	6,300	SF	$ 4.32	$ 27,216.00	$ 4,082.40	$ 31,298.40
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	6,300	SF	$ 2.41	$ 15,183.00	$ 2,277.45	$ 17,460.45
D	**Services**							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	6,300	SF	$ 13.71	$ 86,388.75	$ 12,958.31	$ 99,347.06
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	6,300	SF	$ 12.35	$ 77,798.70	$ 11,669.81	$ 89,468.51
D2040	Rain Water Drainage	Roof Drains	6,300	SF	$ 0.64	$ 4,016.25	$ 602.44	$ 4,618.69
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	6,300	SF	$ 18.78	$ 118,282.50	$ 17,742.38	$ 136,024.88
D4030	Fire Protection	Sprinklers	6,300	SF	$ 6.91	$ 43,548.75	$ 6,532.31	$ 50,081.06
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	6,300	SF	$ 5.64	$ 35,523.18	$ 5,328.48	$ 40,851.66
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	6,300	SF	$ 24.30	$ 153,084.33	$ 22,962.65	$ 176,046.98
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	6,300	SF	$ 10.32	$ 65,027.97	$ 9,754.20	$ 74,782.17
D5090	Emergency Backup	Emergency Generator and Transfer Switch	6,300	SF	$ 8.42	$ 53,014.50	$ 7,952.18	$ 60,966.68

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	6,300	SF	$ 150.28	$ 946,764.00	$ 142,014.60	$ 1,088,778.60
E1030	ADA Requirements	ADA Requirements for Staff and inmates	6,300	SF	$ 4.50	$ 28,350.00	$ 4,252.50	$ 32,602.50
E1040	Warmup-Kitchen	Kitchen Equipment	6,300	SF	$ 9.43	$ 59,409.00	$ 8,911.35	$ 68,320.35
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 368,057.62
G	**Special Construction**							
G1010			6,300	SF	$ 362.87			
		Building Hard Cost per Sq Ft and Sub-Total			**$ 302.90**			**$ 2,997,040.63**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	1,680	LF	$ 16.89	$ 28,375.20	$ 4,256.28	$ 32,631.48
H2010	Parking Lot and Paving	Parking, Courtyard Paving, Curbs	7,500	SF	$ 23.33	$ 174,975.00	$ 26,246.25	$ 201,221.25
H4020	Site Lighting	30' Two Arm Brackets	3	EA	$ 2,700.00	$ 8,100.00	$ 1,215.00	$ 9,315.00
H4030	Storm Drainage	Storm Drainage	1,210	LF	$ 32.30	$ 39,083.00	$ 5,862.45	$ 44,945.45
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	SF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	1,520	LF	$ 62.18	$ 94,513.60	$ 14,177.04	$ 108,690.64
H5010	Propane Tanks	Tanks & Associated Piping	6,300	SF	$ 1.02	$ 6,426.00	$ 963.90	$ 7,389.90
H5020	Elect/Tel Connection	Extensions, coordination	250	LF	$ 197.50	$ 49,375.00	$ 7,406.25	$ 56,781.25
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	6,300	SF	$ 3.11	$ 19,593.00	$ 2,938.95	$ 22,531.95
H5040	Landscaping	Walkways, Lawn, Trees/bushes	3,200	SF	$ 3.35	$ 10,720.00	$ 1,608.00	$ 12,328.00
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Infrastucture and Building Sitework Sub-total						**$ 736,989.92**

1081

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 5,802,418.10
Total Facility Soft Costs - Items 1 through Item 10						$ 2,458,084.90
1. Reserve Fund - 10% of Building Hard Cost						$ 334,433.32
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 535,093.31
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 234,103.32
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 200,659.99
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 50,165.00

1082

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 601,979.98
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 83,608.33
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 100,330.00
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 66,886.66
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 200,659.99
Management Assistance during Construction - 6%		
8. M & I Government		$ 16,721.67
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 16,721.67
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 16,721.67
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 3,344,333.20
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 647,290.30
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 2,697,042.90
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 2,697,042.90**
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	4,300	SF	$ 2.48	$ 10,664.00	$ 1,599.60	$ 12,263.60
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	4,300	SF	$ 0.78	$ 3,332.50	$ 499.88	$ 3,832.38
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	4,300	SF	$ 1.85	$ 7,955.00	$ 1,193.25	$ 9,148.25
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	4,300	SF	$ 19.89	$ 85,516.25	$ 12,827.44	$ 98,343.69
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	4,300	SF	$ 13.56	$ 58,318.75	$ 8,747.81	$ 67,066.56
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	4,300	SF	$ 11.64	$ 50,041.25	$ 7,506.19	$ 57,547.44
B2030	Exterior Doors	Metal Doors	4,300	SF	$ 13.03	$ 56,007.50	$ 8,401.13	$ 64,408.63
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	4,300	SF	$ 7.81	$ 33,593.75	$ 5,039.06	$ 38,632.81
B3010	Roof Covering	Elastomeric Membrane	4,300	SF	$ 2.09	$ 8,976.25	$ 1,346.44	$ 10,322.69
B3020	Roof Openings	Roof Hatches	4,300	SF	$ 0.03	$ 107.50	$ 16.13	$ 123.63

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	4,300	SF	$ 5.18	$ 22,252.50	$ 3,337.88	$ 25,590.38
C1020	Interior Doors	Hollow Metal Fire Doors	4,300	SF	$ 10.19	$ 43,806.25	$ 6,570.94	$ 50,377.19
C3010	Wall Finishes	Paint - 2 coats, 2 sides	4,300	SF	$ 2.36	$ 10,158.75	$ 1,523.81	$ 11,682.56
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	4,300	SF	$ 4.32	$ 18,576.00	$ 2,786.40	$ 21,362.40
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	4,300	SF	$ 2.41	$ 10,363.00	$ 1,554.45	$ 11,917.45
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	4,300	SF	$ 13.71	$ 58,963.75	$ 8,844.56	$ 67,808.31
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	4,300	SF	$ 12.35	$ 53,100.70	$ 7,965.11	$ 61,065.81
D2040	Rain Water Drainage	Roof Drains	4,300	SF	$ 0.64	$ 2,741.25	$ 411.19	$ 3,152.44
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	4,300	SF	$ 18.78	$ 80,732.50	$ 12,109.88	$ 92,842.38
D4030	Fire Protection	Sprinklers	4,300	SF	$ 6.91	$ 29,723.75	$ 4,458.56	$ 34,182.31
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	4,300	SF	$ 5.64	$ 24,245.98	$ 3,636.90	$ 27,882.88
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	4,300	SF	$ 24.30	$ 104,486.13	$ 15,672.92	$ 120,159.05
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	4,300	SF	$ 10.32	$ 44,384.17	$ 6,657.63	$ 51,041.80
D5090	Emergency Backup	Emergency Generator and Transfer Switch	4,300	SF	$ 8.42	$ 36,184.50	$ 5,427.68	$ 41,612.18

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	4,300	SF	$ 136.79	$ 588,197.00	$ 88,229.55	$ 676,426.55
E1030	ADA Requirements	ADA Requirements for Staff and inmates	4,300	SF	$ 4.50	$ 19,350.00	$ 2,902.50	$ 22,252.50
E1040	Warmup-Kitchen	Kitchen Equipment	4,300	SF	$ 9.43	$ 40,549.00	$ 6,082.35	$ 46,631.35
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 241,874.80
G	**Special Construction**							
G1010			4,300	SF	$ 349.38			
		Building Hard Cost per Sq Ft and Sub-Total			**$ 300.73**			**$ 1,969,551.98**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	1,650	LF	$ 16.89	$ 28,375.20	$ 4,256.28	$ 32,631.48
H2010	Parking Lot and Paving	Parking, Courtyard Paving, Curbs	7,500	SF	$ 23.33	$ 174,975.00	$ 26,246.25	$ 201,221.25
H4020	Site Lighting	30' Two Arm Brackets	3	EA	$ 2,700.00	$ 8,100.00	$ 1,215.00	$ 9,315.00
H4030	Storm Drainage	Storm Drainage	1,210	LF	$ 32.30	$ 39,083.00	$ 5,862.45	$ 44,945.45
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	SF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	1,520	LF	$ 62.18	$ 94,513.60	$ 14,177.04	$ 108,690.64
H5010	Propane Tanks	Tanks & Associated Piping	4,300	SF	$ 1.02	$ 4,386.00	$ 657.90	$ 5,043.90
H5020	Elect/Tel Connection	Extensions, coordination	250	LF	$ 197.50	$ 49,375.00	$ 7,406.25	$ 56,781.25
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	4,300	SF	$ 3.11	$ 13,373.00	$ 2,005.95	$ 15,378.95
H5040	Landscaping	Walkways, Lawn, Trees/bushes	3,200	SF	$ 3.35	$ 10,720.00	$ 1,608.00	$ 12,328.00
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Infrastucture and Building Sitework Sub-total						**$ 727,490.92**

DRAFT

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 5,592,410.62
Total Facility Soft Costs - Items 1 through Item 10						$ 2,369,119.19
1. Reserve Fund - 10% of Building Hard Cost						$ 322,329.14
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 515,726.63
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 225,630.40
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 193,397.49
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 48,349.37

1087

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 580,192.46
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 80,582.29
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 96,698.74
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Environmental Impact Assessment			$ 64,465.83
Assessment - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 193,397.49
Management Assistance during Construction - 6%			
8. M & I Government			$ 16,116.46
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 16,116.46
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 16,116.46
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 3,223,291.42
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 623,862.86
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 2,599,428.57
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 2,599,428.57**
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	4,000	SF	$ 2.48	$ 9,920.00	$ 1,488.00	$ 11,408.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	4,000	SF	$ 0.78	$ 3,100.00	$ 465.00	$ 3,565.00
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	4,000	SF	$ 1.85	$ 7,400.00	$ 1,110.00	$ 8,510.00
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	4,000	SF	$ 19.89	$ 79,550.00	$ 11,932.50	$ 91,482.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	4,000	SF	$ 13.56	$ 54,250.00	$ 8,137.50	$ 62,387.50
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	4,000	SF	$ 11.64	$ 46,550.00	$ 6,982.50	$ 53,532.50
B2030	Exterior Doors	Metal Doors	4,000	SF	$ 13.03	$ 52,100.00	$ 7,815.00	$ 59,915.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	4,000	SF	$ 7.81	$ 31,250.00	$ 4,687.50	$ 35,937.50
B3010	Roof Covering	Elastomeric Membrane	4,000	SF	$ 2.09	$ 8,350.00	$ 1,252.50	$ 9,602.50
B3020	Roof Openings	Roof Hatches	4,000	SF	$ 0.03	$ 100.00	$ 15.00	$ 115.00

10809

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	4,000	SF	$ 5.18	$ 20,700.00	$ 3,105.00	$ 23,805.00
C1020	Interior Doors	Hollow Metal Fire Doors	4,000	SF	$ 10.19	$ 40,750.00	$ 6,112.50	$ 46,862.50
C3010	Wall Finishes	Paint - 2 coats, 2 sides	4,000	SF	$ 2.36	$ 9,450.00	$ 1,417.50	$ 10,867.50
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	4,000	SF	$ 4.32	$ 17,280.00	$ 2,592.00	$ 19,872.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	4,000	SF	$ 2.41	$ 9,640.00	$ 1,446.00	$ 11,086.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	4,000	SF	$ 13.71	$ 54,850.00	$ 8,227.50	$ 63,077.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	4,000	SF	$ 12.35	$ 49,396.00	$ 7,409.40	$ 56,805.40
D2040	Rain Water Drainage	Roof Drains	4,000	SF	$ 0.64	$ 2,550.00	$ 382.50	$ 2,932.50
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	4,000	SF	$ 18.78	$ 75,100.00	$ 11,265.00	$ 86,365.00
D4030	Fire Protection	Sprinklers	4,000	SF	$ 6.91	$ 27,650.00	$ 4,147.50	$ 31,797.50
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	4,000	SF	$ 5.64	$ 22,554.40	$ 3,383.16	$ 25,937.56
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	4,000	SF	$ 24.30	$ 97,196.40	$ 14,579.46	$ 111,775.86
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	4,000	SF	$ 10.32	$ 41,287.60	$ 6,193.14	$ 47,480.74
D5090	Emergency Backup	Emergency Generator and Transfer Switch	4,000	SF	$ 8.42	$ 33,660.00	$ 5,049.00	$ 38,709.00

Facility Cost
Tier Ig

September 10, 2007

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	4,000	SF	$ 144.65	$ 578,602.50	$ 86,790.38	$ 665,392.88
E1030	ADA Requirements	ADA Requirements for Staff and inmates	4,000	SF	$ 4.50	$ 18,000.00	$ 2,700.00	$ 20,700.00
E1040	Warmup-Kitchen	Kitchen Equipment	4,000	SF	$ 9.43	$ 37,720.00	$ 5,658.00	$ 43,378.00
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 230,062.06
F	**Special Construction**							
F1010			4,000	SF	$ 357.24			
		Building Hard Cost per Sq Ft and Sub-Total			**$ 301.99**			**$ 1,873,362.50**
G	**Building Sitework and Infrastructure**							
G1030	Trenching	Utilities, 4' wide, 4' deep, bedding	1,680	LF	$ 16.89	$ 28,375.20	$ 4,256.28	$ 32,631.48
G2010	Parking Lot and Paving	Parking, Courtyard Paving, Curbs	7,500	SF	$ 23.33	$ 174,975.00	$ 26,246.25	$ 201,221.25
G4020	Site Lighting	30' Two Arm Brackets	3	EA	$ 2,700.00	$ 8,100.00	$ 1,215.00	$ 9,315.00
G4030	Storm Drainage	Storm Drainage	1,210	LF	$ 32.30	$ 39,083.00	$ 5,862.45	$ 44,945.45
G4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	SF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
G4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	1,520	LF	$ 62.18	$ 94,513.60	$ 14,177.04	$ 108,690.64
G5010	Propane Tanks	Tanks & Associated Piping	4,000	SF	$ 1.02	$ 4,080.00	$ 612.00	$ 4,692.00
G5020	Elect/Tel Connection	Extensions, coordination	250	LF	$ 197.50	$ 49,375.00	$ 7,406.25	$ 56,781.25
G5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	4,000	SF	$ 3.11	$ 12,440.00	$ 1,866.00	$ 14,306.00
G5040	Landscaping	Walkways, Lawn, Trees/bushes	3,200	SF	$ 3.35	$ 10,720.00	$ 1,608.00	$ 12,328.00
G5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Infrastucture and Building Sitework Sub-total						**$ 726,066.07**

Worksheet for Ancillary Equipment - Tier I

TIER Ic

1	Pre-Fabicated specialty C	4	EA	$10,925	$43,700		
2	Cell Furniture	30	EA	$3,500	$105,000		
3	Toilet Appartus w/basin	9	EA	$4,240	$38,160		
4	Showers	6	EA	$6,280	$37,680		
5	Court IT	1	Lump	$40,000	$40,000		
6	Court Room Furnishing	1	Lump	$8,000	$8,000		
7	Laundry Washer/Dryer	1	EA	$6,960	$6,960		
8	Laundry Tables/storage	1	Lump	$3,500	$3,500		
9	Health care	1	Lump	$15,000	$15,000		
10	Office Furniture	10	EA	$2,425	$24,250		
11	Booking Equip/Software	1	Lump	$92,000	$92,000		
12	Countertops	50	LF	$356	$17,800		
13	Cameras/Security Equipr	40	EA	$1,510	$60,400		
14	Computers/Monitors/soft	8	EA	$4,300	$34,400		
15	Lockers, Safe	1	Lump	$3,500	$3,500		
16	Patrol Vehicle	2	Lump	$30,000	$60,000		
17	Transport Vehicle	1	Lump	$50,000	$50,000		
18	Maintenance Equipment,	1	Lump	$22,300	$22,300		
					$662,650		
19	Remaining FF&E				$33,133		
	Total				$695,782.50	5,000	$139.16

TIER Id

1	Pre-Fabicated specialty	4	EA	$10,925	$43,700		
2	Cell Furniture	30	EA	$3,500	$105,000		
3	Toilet Appartus w/basin	9	EA	$4,240	$38,160		
4	Showers	6	EA	$6,280	$37,680		
5	Court IT	1	Lump	$40,000	$40,000		
6	Court Room Furnishing	1	Lump	$16,000	$16,000		
7	Laundry Washer/Dryer	1	EA	$6,960	$6,960		
8	Laundry Tables/storage	1	Lump	$3,500	$3,500		
9	Health care	1	Lump	$15,000	$15,000		
10	Office Furniture	10	EA	$2,425	$24,250		
11	Booking Equip/Software	1	Lump	$92,000	$92,000		
12	Countertops	50	LF	$356	$17,800		
13	Cameras/Security Equip	46	EA	$1,510	$69,460		
14	Computers/Monitors/so	10	EA	$4,300	$43,000		
15	Lockers, Safe	1	Lump	$3,500	$3,500		
16	Patrol Vehicle	2	Lump	$30,000	$60,000		
17	Transport Vehicle	1	Lump	$50,000	$50,000		
18	Maintenance Equipmen	1	Lump	$22,300	$22,300		
					$688,310		
19	Remaining FF&E				$34,416		
	Total				$722,725.50	5,875	$123.02

TIER Ig

1	Pre-Fabicated special	4	EA	$10,925	$43,700		
2	Cell Furniture	10	EA	$3,500	$35,000		
3	Toilet Appartus w/bas	5	EA	$4,240	$21,200		
4	Showers	4	EA	$6,280	$25,120		
5	Court IT	1	Lump	$40,000	$40,000		
6	Court Room Furnishin	1	Lump	$8,000	$8,000		
7	Laundry Washer/Drye	1	EA	$6,960	$6,960		
8	Laundry Tables/storag	1	Lump	$3,500	$3,500		
9	Health care	1	Lump	$15,000	$15,000		
10	Office Furniture	10	EA	$2,425	$24,250		
11	Booking Equip/Softwa	1	Lump	$92,000	$92,000		
12	Countertops	50	LF	$356	$17,800		
13	Cameras/Security Eq	32	EA	$1,510	$48,320		
14	Computers/Monitors/s	8	EA	$4,300	$34,400		
15	Lockers, Safe	1	Lump	$3,500	$3,500		
16	Patrol Vehicle	2	Lump	$30,000	$60,000		
17	Transport Vehicle	1	Lump	$50,000	$50,000		
18	Maintenance Equipme	1	Lump	$22,300	$22,300		
					$551,950		
19	Remaining FF&E				$27,553		
	Total				$579,503	4,000	$144.88

TIER Ie

1	Pre-Fabicated specialty C	6	EA	$10,925	$65,550		
2	Cell Furniture	55	EA	$3,500	$192,500		
3	Toilet Apparatus w/basin	16	EA	$4,240	$67,840		
4	Showers	12	EA	$6,280	$75,360		
5	Court IT	1	Lump	$40,000	$40,000		
6	Court Room Furnishing	1	Lump	$8,000	$8,000		
7	Laundry Washer/Dryer	2	EA	$6,960	$13,920		
8	Laundry Tables/storage	2	Lump	$3,500	$7,000		
9	Health care	2	Lump	$15,000	$30,000		
10	Office Furniture	12	EA	$2,425	$29,100		
11	Booking Equip/Software	1	Lump	$92,000	$92,000		
12	Countertops	55	LF	$356	$19,580		
13	Cameras/Security Equipr	60	EA	$1,510	$90,600		
14	Computers/Monitors/soft	8	EA	$4,300	$34,400		
15	Lockers, Safe	1	Lump	$3,500	$3,500		
16	Patrol Vehicle	2	Lump	$30,000	$60,000		
17	Transport Vehicle	1	Lump	$50,000	$50,000		
18	Maintenance Equipment,	1	Lump	$22,300	$22,300		
					$901,650		
19	Remaining FF&E				$45,083		
	Total				$946,733	6,300	$150.28

TIER If

1	Pre-Fabicated specialty	3	EA	$10,925	$32,775		
2	Cell Furniture	18	EA	$3,500	$63,000		
3	Toilet Apparatus w/basin	6	EA	$4,240	$25,440		
4	Showers	4	EA	$6,280	$25,120		
5	Court IT	1	Lump	$40,000	$40,000		
6	Court Room Furnishing	1	Lump	$8,000	$8,000		
7	Laundry Washer/Dryer	1	EA	$6,960	$6,960		
8	Laundry Tables/storage	1	Lump	$3,500	$3,500		
9	Health care	1	Lump	$15,000	$15,000		
10	Office Furniture	10	EA	$2,425	$24,250		
11	Booking Equip/Software	1	Lump	$92,000	$92,000		
12	Countertops	40	LF	$356	$14,240		
13	Cameras/Security Equip	32	EA	$1,510	$48,320		
14	Computers/Monitors/so	8	EA	$4,300	$25,800		
15	Lockers, Safe	1	Lump	$3,500	$3,500		
16	Patrol Vehicle	2	Lump	$30,000	$60,000		
17	Transport Vehicle	1	Lump	$50,000	$50,000		
18	Maintenance Equipmen	1	Lump	$22,300	$22,300		
					$560,205		
19	Remaining FF&E				$28,010		
	Total				$588,215	4,300	$136.79

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 58,571,951.36
Total Facility Soft Costs - Items 1 through Item 10						$ 24,812,901.59
1. Reserve Fund - 10% of Building Hard Cost						$ 3,375,904.98
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 5,401,447.96
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 2,363,133.48
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 2,025,542.99
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 506,385.75

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 6,076,628.96
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 843,976.24
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 1,012,771.49
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Environmental Impact Assessment			$ 675,181.00
Assessment - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 2,025,542.99
Management Assistance during Construction - 6%			
8. M & I Government			$ 168,795.25
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 168,795.25
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 168,795.25
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 33,759,049.78
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 6,534,009.63
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 27,225,040.14
Including Markup, from next page			
Special Structures			

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 27,225,040.14**
	Demolition of Existing Work							
F1020		Demolition of existing		SF		$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	75,000	SF	$ 2.48	$ 186,000.00	$ 27,900.00	$ 213,900.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	75,000	SF	$ 0.78	$ 58,125.00	$ 8,718.75	$ 66,843.75
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	75,000	SF	$ 1.85	$ 138,750.00	$ 20,812.50	$ 159,562.50
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	75,000	SF	$ 19.89	$ 1,491,562.50	$ 223,734.38	$ 1,715,296.88
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	75,000	SF	$ 13.56	$ 1,017,187.50	$ 152,578.13	$ 1,169,765.63
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	75,000	SF	$ 11.64	$ 872,812.50	$ 130,921.88	$ 1,003,734.38
B2030	Exterior Doors	Metal Doors	75,000	EA	$ 1.73	$ 129,375.00	$ 19,406.25	$ 148,781.25
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	75,000	SF	$ 7.81	$ 585,937.50	$ 87,890.63	$ 673,828.13
B3010	Roof Covering	Elastomeric Membrane	75,000	SF	$ 2.09	$ 156,562.50	$ 23,484.38	$ 180,046.88
B3020	Roof Openings	Roof Hatches	75,000	SF	$ 0.03	$ 1,875.00	$ 281.25	$ 2,156.25

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	75,000	SF	$ 3.65	$ 273,750.00	$ 41,062.50	$ 314,812.50
C1020	Interior Doors	Hollow Metal Fire Doors	75,000	EA	$ 1.94	$ 145,312.50	$ 21,796.88	$ 167,109.38
C2010	Stair Construction	Concrete Filled Metal Pan	75,000	SF	$ 2.16	$ 162,187.50	$ 24,328.13	$ 186,515.63
C3010	Wall Finishes	Paint - 2 coats, 2 sides	75,000	SF	$ 2.36	$ 177,187.50	$ 26,578.13	$ 203,765.63
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	75,000	SF	$ 4.32	$ 324,000.00	$ 48,600.00	$ 372,600.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	75,000	SF	$ 2.41	$ 180,750.00	$ 27,112.50	$ 207,862.50
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	75,000	SF	$ 1.73	$ 129,375.00	$ 19,406.25	$ 148,781.25
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage (1F/60SF)	75,000	SF	$ 34.15	$ 2,561,250.00	$ 384,187.50	$ 2,945,437.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	75,000	SF	$ 6.63	$ 496,875.00	$ 74,531.25	$ 571,406.25
D2040	Rain Water Drainage	Roof Drains	75,000	SF	$ 0.64	$ 47,812.50	$ 7,171.88	$ 54,984.38
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	75,000	SF	$ 18.00	$ 1,350,000.00	$ 202,500.00	$ 1,552,500.00
D4030	Fire Protection	Sprinklers	75,000	SF	$ 4.94	$ 370,312.50	$ 55,546.88	$ 425,859.38
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders (2000A)	75,000	SF	$ 3.03	$ 226,875.00	$ 34,031.25	$ 260,906.25
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	75,000	SF	$ 22.84	$ 1,712,812.50	$ 256,921.88	$ 1,969,734.38
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	75,000	SF	$ 5.54	$ 415,312.50	$ 62,296.88	$ 477,609.38
D5090	Emergency Backup	Emergency Generator and Transfer Switch	75,000	SF	$ 3.31	$ 248,437.50	$ 37,265.63	$ 285,703.13

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	75,000	SF	$ 48.46	$ 3,634,155.00	$ 545,123.25	$ 4,179,278.25
E1030	ADA Requirements	ADA Requirements for Staff and inmates	75,000	SF	$ 4.50	$ 337,500.00	$ 50,625.00	$ 388,125.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	75,000	SF	$ 12.79	$ 959,250.00	$ 143,887.50	$ 1,103,137.50
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 2,921,702.02
G	**Special Construction**							
F1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			**$ 245.22**			**$ 24,071,745.89**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	22,000	SF	$ 23.33	$ 513,260.00	$ 76,989.00	$ 590,249.00
H4020	Site Lighting	30' Two Arm Brackets	30	EA	$ 2,700.00	$ 81,000.00	$ 12,150.00	$ 93,150.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	6,500	LF	$ 62.18	$ 404,170.00	$ 60,625.50	$ 464,795.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	75,000	SF	$ 1.02	$ 76,500.00	$ 11,475.00	$ 87,975.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	75,000	SF	$ 3.11	$ 233,250.00	$ 34,987.50	$ 268,237.50
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	200k Gal Tank, Pressure Tank & Associated Piping	200,000	GAL	$ 1.65	$ 330,000.00	$ 49,500.00	$ 379,500.00
		Building Sitework and Infrastructure Total						**$ 3,153,294.25**

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 51,797,875.67
Total Facility Soft Costs - Items 1 through Item 10						$ 21,943,192.28
1. Reserve Fund - 10% of Building Hard Cost						$ 2,985,468.34
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost						$ 4,776,749.34
From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 2,089,827.84
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 1,791,281.00
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 447,820.25
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 5,373,843.01
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 746,367.08
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 895,640.50
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 597,093.67
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 1,791,281.00
Management Assistance during Construction - 6%		
8. M & I Government		$ 149,273.42
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 149,273.42
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 149,273.42
One-Half percent of Building Hard Cost		
Total Building Hard Cost Incl Gen Contr. Markup		$ 29,854,683.38
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 5,778,325.82
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 24,076,357.57
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 24,076,357.57
	Demolition of Existing Work							
F1020		Demolition of existing		SF		$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	68,000	SF	$ 2.48	$ 168,640.00	$ 25,296.00	$ 193,936.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	68,000	SF	$ 0.78	$ 52,700.00	$ 7,905.00	$ 60,605.00
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	68,000	SF	$ 1.85	$ 125,800.00	$ 18,870.00	$ 144,670.00
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	68,000	SF	$ 19.89	$ 1,352,350.00	$ 202,852.50	$ 1,555,202.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	68,000	SF	$ 13.56	$ 922,250.00	$ 138,337.50	$ 1,060,587.50
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	68,000	SF	$ 11.64	$ 791,350.00	$ 118,702.50	$ 910,052.50
B2030	Exterior Doors	Metal Doors	68,000	EA	$ 1.73	$ 117,300.00	$ 17,595.00	$ 134,895.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	68,000	SF	$ 7.81	$ 531,250.00	$ 79,687.50	$ 610,937.50
B3010	Roof Covering	Elastomeric Membrane	68,000	SF	$ 2.09	$ 141,950.00	$ 21,292.50	$ 163,242.50
B3020	Roof Openings	Roof Hatches	68,000	SF	$ 0.03	$ 1,700.00	$ 255.00	$ 1,955.00

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	68,000	SF	$ 3.65	$ 248,200.00	$ 37,230.00	$ 285,430.00
C1020	Interior Doors	Hollow Metal Fire Doors	68,000	EA	$ 1.94	$ 131,750.00	$ 19,762.50	$ 151,512.50
C2010	Stair Construction	Concrete Filled Metal Pan	68,000	SF	$ 2.16	$ 147,050.00	$ 22,057.50	$ 169,107.50
C3010	Wall Finishes	Paint - 2 coats, 2 sides	68,000	SF	$ 2.36	$ 160,650.00	$ 24,097.50	$ 184,747.50
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	68,000	SF	$ 4.32	$ 293,760.00	$ 44,064.00	$ 337,824.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	68,000	SF	$ 2.41	$ 163,880.00	$ 24,582.00	$ 188,462.00
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	68,000	SF	$ 1.73	$ 117,300.00	$ 17,595.00	$ 134,895.00
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage (1F/60SF)	68,000	SF	$ 34.15	$ 2,322,200.00	$ 348,330.00	$ 2,670,530.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	68,000	SF	$ 6.63	$ 450,500.00	$ 67,575.00	$ 518,075.00
D2040	Rain Water Drainage	Roof Drains	68,000	SF	$ 0.64	$ 43,350.00	$ 6,502.50	$ 49,852.50
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	68,000	SF	$ 18.00	$ 1,224,000.00	$ 183,600.00	$ 1,407,600.00
D4030	Fire Protection	Sprinklers	68,000	SF	$ 4.94	$ 335,750.00	$ 50,362.50	$ 386,112.50
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders (2000A)	68,000	SF	$ 3.03	$ 205,700.00	$ 30,855.00	$ 236,555.00
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	68,000	SF	$ 22.84	$ 1,552,950.00	$ 232,942.50	$ 1,785,892.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	68,000	SF	$ 5.54	$ 376,550.00	$ 56,482.50	$ 433,032.50
D5090	Emergency Backup	Emergency Generator and Transfer Switch	68,000	SF	$ 3.31	$ 225,250.00	$ 33,787.50	$ 259,037.50

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	68,000	SF	$ 41.55	$ 2,825,655.00	$ 423,848.25	$ 3,249,503.25
E1030	ADA Requirements	ADA Requirements for Staff and inmates	68,000	SF	$ 4.50	$ 306,000.00	$ 45,900.00	$ 351,900.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	68,000	SF	$ 12.79	$ 869,720.00	$ 130,458.00	$ 1,000,178.00
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 2,573,450.57
G	**Special Construction**							
F1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			**$ 238.32**			**$ 21,209,781.32**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	18,000	SF	$ 23.33	$ 419,940.00	$ 62,991.00	$ 482,931.00
H4020	Site Lighting	30' Two Arm Brackets	25	EA	$ 2,700.00	$ 67,500.00	$ 10,125.00	$ 77,625.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	6,000	LF	$ 62.18	$ 373,080.00	$ 55,962.00	$ 429,042.00
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	68,000	SF	$ 1.02	$ 69,360.00	$ 10,404.00	$ 79,764.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	68,000	SF	$ 3.11	$ 211,480.00	$ 31,722.00	$ 243,202.00
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	150k Gal Tank, Pressure Tank & Associated Piping	150,000	GAL	$ 1.65	$ 247,500.00	$ 37,125.00	$ 284,625.00
		Building Sitework and Infrastructure Total						**$ 2,866,576.25**

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 45,174,859.33
Total Facility Soft Costs - Items 1 through Item 10						$ 19,137,476.43
1. Reserve Fund - 10% of Building Hard Cost						$ 2,603,738.29
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 4,165,981.26
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 1,822,616.80
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 1,562,242.97
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 390,560.74

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 4,686,728.92
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 650,934.57
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 781,121.49
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 520,747.66
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 1,562,242.97
Management Assistance during Construction - 6%		
8. M & I Government		$ 130,186.91
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 130,186.91
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 130,186.91
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 25,037,382.90
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 5,039,493.46
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 20,997,889.43
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 20,997,889.43**
	Demolition of Existing Work							
F1020		Demolition of existing		SF		$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	60,000	SF	$ 2.48	$ 148,800.00	$ 22,320.00	$ 171,120.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	60,000	SF	$ 0.78	$ 46,500.00	$ 6,975.00	$ 53,475.00
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	60,000	SF	$ 1.85	$ 111,000.00	$ 16,650.00	$ 127,650.00
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	60,000	SF	$ 19.89	$ 1,193,250.00	$ 178,987.50	$ 1,372,237.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	60,000	SF	$ 13.56	$ 813,750.00	$ 122,062.50	$ 935,812.50
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	60,000	SF	$ 11.64	$ 698,250.00	$ 104,737.50	$ 802,987.50
B2030	Exterior Doors	Metal Doors	60,000	EA	$ 1.73	$ 103,500.00	$ 15,525.00	$ 119,025.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	60,000	SF	$ 7.81	$ 468,750.00	$ 70,312.50	$ 539,062.50
B3010	Roof Covering	Elastomeric Membrane	60,000	SF	$ 2.09	$ 125,250.00	$ 18,787.50	$ 144,037.50
B3020	Roof Openings	Roof Hatches	60,000	SF	$ 0.03	$ 1,500.00	$ 225.00	$ 1,725.00

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	60,000	SF	$ 3.65	$ 219,000.00	$ 32,850.00	$ 251,850.00
C1020	Interior Doors	Hollow Metal Fire Doors	60,000	EA	$ 1.94	$ 116,250.00	$ 17,437.50	$ 133,687.50
C2010	Stair Construction	Concrete Filled Metal Pan	60,000	SF	$ 2.16	$ 129,750.00	$ 19,462.50	$ 149,212.50
C3010	Wall Finishes	Paint - 2 coats, 2 sides	60,000	SF	$ 2.36	$ 141,750.00	$ 21,262.50	$ 163,012.50
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	60,000	SF	$ 4.32	$ 259,200.00	$ 38,880.00	$ 298,080.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	60,000	SF	$ 2.41	$ 144,600.00	$ 21,690.00	$ 166,290.00
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	60,000	SF	$ 1.73	$ 103,500.00	$ 15,525.00	$ 119,025.00
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage (1F/60SF)	60,000	SF	$ 34.15	$ 2,049,000.00	$ 307,350.00	$ 2,356,350.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	60,000	SF	$ 6.63	$ 397,500.00	$ 59,625.00	$ 457,125.00
D2040	Rain Water Drainage	Roof Drains	60,000	SF	$ 0.64	$ 38,250.00	$ 5,737.50	$ 43,987.50
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	60,000	SF	$ 18.00	$ 1,080,000.00	$ 162,000.00	$ 1,242,000.00
D4030	Fire Protection	Sprinklers	60,000	SF	$ 4.94	$ 296,250.00	$ 44,437.50	$ 340,687.50
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders (2000A)	60,000	SF	$ 3.03	$ 181,500.00	$ 27,225.00	$ 208,725.00
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	60,000	SF	$ 22.84	$ 1,370,250.00	$ 205,537.50	$ 1,575,787.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	60,000	SF	$ 5.54	$ 332,250.00	$ 49,837.50	$ 382,087.50
D5090	Emergency Backup	Emergency Generator and Transfer Switch	60,000	SF	$ 3.31	$ 198,750.00	$ 29,812.50	$ 228,562.50

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	60,000	SF	$ 37.84	$ 2,270,696.50	$ 340,604.78	$ 2,611,303.28
E1030	ADA Requirements	ADA Requirements for Staff and inmates	60,000	SF	$ 4.50	$ 270,000.00	$ 40,500.00	$ 310,500.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	60,000	SF	$ 12.79	$ 767,400.00	$ 115,110.00	$ 882,510.00
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 2,234,864.91
G	**Special Construction**							
F1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			$ 234.61			$ 18,422,780.68
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Salty Port, Courtyard Paving, Curbs	14,000	SF	$ 23.33	$ 326,620.00	$ 48,993.00	$ 375,613.00
H4020	Site Lighting	30' Two Arm Brackets	20	EA	$ 2,700.00	$ 54,000.00	$ 8,100.00	$ 62,100.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	5,500	LF	$ 62.18	$ 341,990.00	$ 51,298.50	$ 393,288.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	60,000	SF	$ 1.02	$ 61,200.00	$ 9,180.00	$ 70,380.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	60,000	SF	$ 3.11	$ 186,600.00	$ 27,990.00	$ 214,590.00
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Building Sitework and Infrastructure Total						**$ 2,575,108.75**

	Element					
			Matl, Labor, Equip			
Project Summary	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 37,807,498.46
Total Facility Soft Costs - Items 1 through Item 10						$ 16,016,433.07
1. Reserve Fund - 10% of Building Hard Cost						$ 2,179,106.54
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 3,486,570.46
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 1,525,374.58
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 1,307,463.92
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 326,865.98

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	**$ 3,922,391.77**
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	**$ 544,776.63**
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	**$ 653,731.96**
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		**$ 435,821.31**
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		**$ 1,307,463.92**
Management Assistance during Construction - 6%		
8. M & I Government		**$ 108,955.33**
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		**$ 108,955.33**
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		**$ 108,955.33**
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		**$ 21,791,066.39**
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		**$ 4,217,625.56**
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		**$ 17,573,439.83**
Including Markup, from next page		
Special Structures		

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 17,573,439.83
	Demolition of Existing Work							
F1020		Demolition of existing		SF		$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	50,000	SF	$ 2.48	$ 124,000.00	$ 18,600.00	$ 142,600.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	50,000	SF	$ 0.78	$ 38,750.00	$ 5,812.50	$ 44,562.50
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	50,000	SF	$ 1.85	$ 92,500.00	$ 13,875.00	$ 106,375.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	50,000	SF	$ 19.89	$ 994,375.00	$ 149,156.25	$ 1,143,531.25
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	50,000	SF	$ 13.56	$ 678,125.00	$ 101,718.75	$ 779,843.75
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	50,000	SF	$ 11.64	$ 581,875.00	$ 87,281.25	$ 669,156.25
B2030	Exterior Doors	Metal Doors	50,000	EA	$ 1.73	$ 86,250.00	$ 12,937.50	$ 99,187.50
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	50,000	SF	$ 7.81	$ 390,625.00	$ 58,593.75	$ 449,218.75
B3010	Roof Covering	Elastomeric Membrane	50,000	SF	$ 2.09	$ 104,375.00	$ 15,656.25	$ 120,031.25
B3020	Roof Openings	Roof Hatches	50,000	SF	$ 0.03	$ 1,250.00	$ 187.50	$ 1,437.50

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	Matl,Labor,Equip MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	50,000	SF	$ 3.65	$ 182,500.00	$ 27,375.00	$ 209,875.00
C1020	Interior Doors	Hollow Metal Fire Doors	50,000	EA	$ 1.94	$ 96,875.00	$ 14,531.25	$ 111,406.25
C2010	Stair Construction	Concrete Filled Metal Pan	50,000	SF	$ 2.16	$ 108,125.00	$ 16,218.75	$ 124,343.75
C3010	Wall Finishes	Paint - 2 coats, 2 sides	50,000	SF	$ 2.36	$ 118,125.00	$ 17,718.75	$ 135,843.75
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	50,000	SF	$ 4.32	$ 216,000.00	$ 32,400.00	$ 248,400.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	50,000	SF	$ 2.41	$ 120,500.00	$ 18,075.00	$ 138,575.00
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	50,000	SF	$ 1.73	$ 86,250.00	$ 12,937.50	$ 99,187.50
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage (1F/60SF)	50,000	SF	$ 34.15	$ 1,707,500.00	$ 256,125.00	$ 1,963,625.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	50,000	SF	$ 6.63	$ 331,250.00	$ 49,687.50	$ 380,937.50
D2040	Rain Water Drainage	Roof Drains	50,000	SF	$ 0.64	$ 31,875.00	$ 4,781.25	$ 36,656.25
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	50,000	SF	$ 18.00	$ 900,000.00	$ 135,000.00	$ 1,035,000.00
D4030	Fire Protection	Sprinklers	50,000	SF	$ 4.94	$ 246,875.00	$ 37,031.25	$ 283,906.25
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders (2000A)	50,000	SF	$ 3.03	$ 151,250.00	$ 22,687.50	$ 173,937.50
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	50,000	SF	$ 22.84	$ 1,141,875.00	$ 171,281.25	$ 1,313,156.25
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	50,000	SF	$ 5.54	$ 276,875.00	$ 41,531.25	$ 318,406.25
D5090	Emergency Backup	Emergency Generator and Transfer Switch	50,000	SF	$ 3.31	$ 165,625.00	$ 24,843.75	$ 190,468.75

EXHIBIT

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	50,000	SF	$ 33.17	$ 1,658,464.50	$ 248,769.68	$ 1,907,234.18
E1030	ADA Requirements	ADA Requirements for Staff and inmates	50,000	SF	$ 4.50	$ 225,000.00	$ 33,750.00	$ 258,750.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	50,000	SF	$ 12.79	$ 639,500.00	$ 95,925.00	$ 735,425.00
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 1,824,748.16
G	**Special Construction**							
F1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			**$ 229.93**			**$ 15,045,826.08**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	14,000	SF	$ 23.33	$ 326,620.00	$ 48,993.00	$ 375,613.00
H4020	Site Lighting	30' Two Arm Brackets	20	EA	$ 2,700.00	$ 54,000.00	$ 8,100.00	$ 62,100.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	5,500	LF	$ 62.18	$ 341,990.00	$ 51,298.50	$ 393,288.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	50,000	SF	$ 1.02	$ 51,000.00	$ 7,650.00	$ 58,650.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	50,000	SF	$ 3.11	$ 155,500.00	$ 23,325.00	$ 178,825.00
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Building Sitework and Infrastructure Total						**$ 2,527,613.75**

	Element					
	Quantity	Unit	Matl, Labor, Equip Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 66,328,639.49
Total Facility Soft Costs - Items 1 through Item 10						$ 29,098,876.09
1. Reserve Fund - 10% of Building Hard Cost						$ 3,822,976.34
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost						$ 6,116,762.14
From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 2,676,063.44
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 2,293,785.80
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 573,446.45
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 6,881,357.41
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 955,744.06
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 1,146,892.90
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 764,595.27
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 2,293,785.80
Management Assistance during Construction - 6%		
8. M & I Government		$ 191,148.82
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 191,148.82
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 191,148.82
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 38,229,763.39
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 7,399,309.04
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 30,830,454.35
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 30,630,454.35
	Demolition of Existing Work							
F1020		Demolition of existing		SF		$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	84,000	SF	$ 2.48	$ 208,320.00	$ 31,248.00	$ 239,568.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	84,000	SF	$ 0.78	$ 65,100.00	$ 9,765.00	$ 74,865.00
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	84,000	SF	$ 1.85	$ 155,400.00	$ 23,310.00	$ 178,710.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	84,000	SF	$ 19.89	$ 1,670,550.00	$ 250,582.50	$ 1,921,132.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	84,000	SF	$ 13.56	$ 1,139,250.00	$ 170,887.50	$ 1,310,137.50
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	84,000	SF	$ 11.64	$ 977,550.00	$ 146,632.50	$ 1,124,182.50
B2030	Exterior Doors	Metal Doors	84,000	EA	$ 1.73	$ 144,900.00	$ 21,735.00	$ 166,635.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	84,000	SF	$ 7.81	$ 656,250.00	$ 98,437.50	$ 754,687.50
B3010	Roof Covering	Elastomeric Membrane	84,000	SF	$ 2.09	$ 175,350.00	$ 26,302.50	$ 201,652.50
B3020	Roof Openings	Roof Hatches	84,000	SF	$ 0.03	$ 2,100.00	$ 315.00	$ 2,415.00

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	84,000	SF	$ 3.65	$ 306,600.00	$ 45,990.00	$ 352,590.00
C1020	Interior Doors	Hollow Metal Fire Doors	84,000	EA	$ 1.94	$ 162,750.00	$ 24,412.50	$ 187,162.50
C2010	Stair Construction	Concrete Filled Metal Pan	84,000	SF	$ 2.16	$ 181,650.00	$ 27,247.50	$ 208,897.50
C3010	Wall Finishes	Paint - 2 coats, 2 sides	84,000	SF	$ 2.36	$ 198,450.00	$ 29,767.50	$ 228,217.50
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	84,000	SF	$ 4.32	$ 362,880.00	$ 54,432.00	$ 417,312.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	84,000	SF	$ 2.41	$ 202,440.00	$ 30,366.00	$ 232,806.00
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	84,000	SF	$ 1.73	$ 144,900.00	$ 21,735.00	$ 166,635.00
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage (1F/60SF)	84,000	SF	$ 34.15	$ 2,868,600.00	$ 430,290.00	$ 3,298,890.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	84,000	SF	$ 6.63	$ 556,500.00	$ 83,475.00	$ 639,975.00
D2040	Rain Water Drainage	Roof Drains	84,000	SF	$ 0.64	$ 53,550.00	$ 8,032.50	$ 61,582.50
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	84,000	SF	$ 18.00	$ 1,512,000.00	$ 226,800.00	$ 1,738,800.00
D4030	Fire Protection	Sprinklers	84,000	SF	$ 4.94	$ 414,750.00	$ 62,212.50	$ 476,962.50
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders (2000A)	84,000	SF	$ 3.03	$ 254,100.00	$ 38,115.00	$ 292,215.00
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	84,000	SF	$ 22.84	$ 1,918,350.00	$ 287,752.50	$ 2,206,102.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	84,000	SF	$ 5.54	$ 465,150.00	$ 69,772.50	$ 534,922.50
D5090	Emergency Backup	Emergency Generator and Transfer Switch	84,000	SF	$ 3.31	$ 278,250.00	$ 41,737.50	$ 319,987.50

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	84,000	SF	$ 54.58	$ 4,584,410.12	$ 687,661.52	$ 5,272,071.64
E1030	ADA Requirements	ADA Requirements for Staff and inmates	84,000	SF	$ 4.50	$ 378,000.00	$ 56,700.00	$ 434,700.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	84,000	SF	$ 12.79	$ 1,074,360.00	$ 161,154.00	$ 1,235,514.00
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 3,355,085.46
G	**Special Construction**							
F1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			$ 251.34			$ 27,634,414.60
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	22,000	SF	$ 23.33	$ 513,260.00	$ 76,989.00	$ 590,249.00
H4020	Site Lighting	30' Two Arm Brackets	30	EA	$ 2,700.00	$ 81,000.00	$ 12,150.00	$ 93,150.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	6,500	LF	$ 62.18	$ 404,170.00	$ 60,625.50	$ 464,795.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	84,000	SF	$ 1.02	$ 85,680.00	$ 12,852.00	$ 98,532.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	84,000	SF	$ 3.11	$ 261,240.00	$ 39,186.00	$ 300,426.00
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	200k Gal Tank, Pressure Tank & Associated Piping	200,000	GAL	$ 1.65	$ 330,000.00	$ 49,500.00	$ 379,500.00
		Building Sitework and Infrastructure Total						**$ 3,198,039.75**

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 19,503,687.96
Total Facility Soft Costs - Items 1 through Item 10						$ 8,262,369.25
1. Reserve Fund - 10% of Building Hard Cost						$ 1,124,131.87
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 16% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 1,798,610.99
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 786,892.31
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 674,479.12
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 168,619.78

8. Pre-Construction Services			
8a. Design at Office	**18.00%**		**$ 2,023,437.37**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
8b. Site Investigations	**2.5%**		**$ 281,032.97**
Site Investigations	2.50%		
8c. Assistance prior to Construction	**3.00%**		**$ 337,239.56**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
8d. Environmental Impact Assessment			**$ 224,826.37**
Assessment - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 674,479.12**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 56,206.59**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 56,206.59**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 56,206.59**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 11,241,318.71**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 2,175,739.11**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 9,065,579.61**
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 9,065,579.61
	Demolition of Existing Work							
F1020		Demolition of existing		SF		$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	25,000	SF	$ 2.48	$ 62,000.00	$ 9,300.00	$ 71,300.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	25,000	SF	$ 0.78	$ 19,375.00	$ 2,906.25	$ 22,281.25
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	25,000	SF	$ 1.85	$ 46,250.00	$ 6,937.50	$ 53,187.50
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	25,000	SF	$ 19.89	$ 497,187.50	$ 74,578.13	$ 571,765.63
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	25,000	SF	$ 13.56	$ 339,062.50	$ 50,859.38	$ 389,921.88
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	25,000	SF	$ 11.64	$ 290,937.50	$ 43,640.63	$ 334,578.13
B2030	Exterior Doors	Metal Doors	25,000	EA	$ 1.73	$ 43,125.00	$ 6,468.75	$ 49,593.75
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	25,000	SF	$ 7.81	$ 195,312.50	$ 29,296.88	$ 224,609.38
B3010	Roof Covering	Elastomeric Membrane	25,000	SF	$ 2.09	$ 52,187.50	$ 7,828.13	$ 60,015.63
B3020	Roof Openings	Roof Hatches	25,000	SF	$ 0.03	$ 625.00	$ 93.75	$ 718.75

					Mat,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	25,000	SF	$ 3.65	$ 91,250.00	$ 13,687.50	$ 104,937.50
C1020	Interior Doors	Hollow Metal Fire Doors	25,000	EA	$ 1.94	$ 48,437.50	$ 7,265.63	$ 55,703.13
C2010	Stair Construction	Concrete Filled Metal Pan	25,000	SF	$ 2.16	$ 54,062.50	$ 8,109.38	$ 62,171.88
C3010	Wall Finishes	Paint - 2 coats, 2 sides	25,000	SF	$ 2.36	$ 59,062.50	$ 8,859.38	$ 67,921.88
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	25,000	SF	$ 4.32	$ 108,000.00	$ 16,200.00	$ 124,200.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	25,000	SF	$ 2.41	$ 60,250.00	$ 9,037.50	$ 69,287.50
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	25,000	SF	$ 1.73	$ 43,125.00	$ 6,468.75	$ 49,593.75
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage (1F/60SF)	25,000	SF	$ 34.15	$ 853,750.00	$ 128,062.50	$ 981,812.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	25,000	SF	$ 6.63	$ 165,625.00	$ 24,843.75	$ 190,468.75
D2040	Rain Water Drainage	Roof Drains	25,000	SF	$ 0.64	$ 15,937.50	$ 2,390.63	$ 18,328.13
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	25,000	SF	$ 18.00	$ 450,000.00	$ 67,500.00	$ 517,500.00
D4030	Fire Protection	Sprinklers	25,000	SF	$ 4.94	$ 123,437.50	$ 18,515.63	$ 141,953.13
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders (2000A)	25,000	SF	$ 3.03	$ 75,625.00	$ 11,343.75	$ 86,968.75
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	25,000	SF	$ 22.84	$ 570,937.50	$ 85,640.63	$ 656,578.13
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	25,000	SF	$ 5.54	$ 138,437.50	$ 20,765.63	$ 159,203.13
D5090	Emergency Backup	Emergency Generator and Transfer Switch	25,000	SF	$ 3.31	$ 82,812.50	$ 12,421.88	$ 95,234.38

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	25,000	SF	$ 39.26	$ 981,487.50	$ 147,223.13	$ 1,128,710.63
E1030	ADA Requirements	ADA Requirements for Staff and inmates	25,000	SF	$ 4.50	$ 112,500.00	$ 16,875.00	$ 129,375.00
E1040	Warmup-Kitchen	Stainless Steel Kitchen/Food Servie Equipment	25,000	SF	$ 9.43	$ 235,750.00	$ 35,362.50	$ 271,112.50
F	**LEED Equipment and Services**							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 923,393.18
G	**Special Construction**							
F1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			$ 232.66			**7,612,395.68**
H	**Building Sitework and Infrastructure**							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	1,680	LF	$ 16.89	$ 28,375.20	$ 4,256.28	$ 32,631.48
H2010	Parking Lot and Paving	Parking, Courtyard Paving, Curbs	10,000	SF	$ 23.33	$ 233,300.00	$ 34,995.00	$ 268,295.00
H4020	Site Lighting	30' Two Arm Brackets	30	EA	$ 2,700.00	$ 81,000.00	$ 12,150.00	$ 93,150.00
H4030	Storm Drainage	Storm Drainage	2,400	LF	$ 32.30	$ 77,520.00	$ 11,628.00	$ 89,148.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 175,000.00	$ 175,000.00	$ 26,250.00	$ 201,250.00
H4037	Ancillary Road	Gravel road (1/3 Mile)	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	3,600	LF	$ 62.18	$ 223,848.00	$ 33,577.20	$ 257,425.20
H4040	Utility Bulilding	House Generator, pumps, Switchgear	750	SF	$ 82.00	$ 61,500.00	$ 9,225.00	$ 70,725.00
H5010	Propane Tanks	Tanks & Associated Piping	25,000	SF	$ 1.02	$ 25,500.00	$ 3,825.00	$ 29,325.00
H5020	Elect/Tel Connection	Extensions, coordination	250	LF	$ 197.50	$ 49,375.00	$ 7,406.25	$ 56,781.25
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	25,000	SF	$ 3.11	$ 77,750.00	$ 11,662.50	$ 89,412.50
H5040	Landscaping	Walkways, Lawn, Trees/bushes	6,200	SF	$ 3.35	$ 20,770.00	$ 3,115.50	$ 23,885.50
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Building Sitework and Infrastructure Total						**1,453,183.93**

DRAFT

Worksheet for Ancillary Equipment - Tier II

TIER IIc

1	Special Management Cells	16	EA	$10,925	$174,800			
2	Cell Furniture	185	EA	$3,500	$525,000			
3	Toilet Apparatus w/basin	60	EA	$4,240	$254,400			
4	Showers	40	EA	$6,280	$251,200			
5	Court IT	1	Lump	$60,000	$60,000			
6	Court Room Furnishing	1	Lump	$100,000	$100,000			
7	Laundry Washer/Dryer 125	4	EA	$31,800	$127,200			
8	Laundry Tables/storage	4	Lump	$8,500	$34,000			
9	Health care	1	Lump	$114,000	$114,000			
10	Office Furniture	30	EA	$2,425	$72,750			
11	Booking Equip/Software	1	Lump	$92,000	$92,000			
12	Countertops	300	LF	$356	$106,800			
13	Cameras/Security Equipme	240	EA	$1,510	$362,400			
14	Computers/Monitors/softw	24	EA	$4,300	$103,200			
15	Lockers, Safe	15	Lump	$3,500	$52,500			
16	Patrol Vehicle	12	Lump	$30,000	$360,000			
17	Transport Vehicle	6	Lump	$50,000	$300,000			
18	Armory	1	Lump	$74,800	$74,800			
19	Maintenance Equipment, S	1	Lump	$22,300	$22,300			
20	Recreation Equipment	1	Lump	$20,000	$20,000			
21	Computer Lab	15	EA	$1,850	$27,750			
22	Education/Religious/Rehat	1	Lump	$76,000	$76,000			
23	Dispatch Equipment	1	Lump	$150,000	$150,000			
					$3,461,100			
	Remaining FF&E				$173,055			
	Total				$3,634,155	75,000	$48.46	

TIER IIh

1	Special Management Cells	12	EA	$10,925	$131,100			
2	Cell Furniture	75	EA	$3,500	$262,500			
3	Toilet Apparatus w/basin	49	EA	$4,240	$203,520			
4	Showers	32	EA	$6,280	$200,960			
5	Court IT	1	Lump	$60,000	$60,000			
6	Court Room Furnishing	1	Lump	$100,000	$100,000			
7	Laundry Washer/Dryer 125	3	EA	$31,800	$95,400			
8	Laundry Tables/storage	3	Lump	$8,500	$25,500			
9	Health care	1	Lump	$114,000	$114,000			
10	Office Furniture	24	EA	$2,425	$58,200			
11	Booking Equip/Software	1	Lump	$92,000	$92,000			
12	Countertops	240	LF	$356	$85,440			
13	Cameras/Security Equipme	216	EA	$1,510	$326,160			
14	Computers/Monitors/softw	20	EA	$4,300	$86,000			
15	Lockers, Safe	12	Lump	$3,500	$42,000			
16	Patrol Vehicle	8	Lump	$30,000	$240,000			
17	Transport Vehicle	4	Lump	$50,000	$200,000			
18	Armory	1	Lump	$74,800	$74,800			
19	Maintenance Equipment, S	1	Lump	$22,300	$22,300			
20	Recreation Equipment	1	Lump	$20,000	$20,000			
21	Computer Lab	12	EA	$1,850	$22,200			
22	Education/Religious/Rehat	1	Lump	$76,000	$76,000			
23	Dispatch Equipment	1	Lump	$150,000	$150,000			
					$2,597,180			
	Remaining FF&E				$134,535			
	Total				$2,829,955	68,000	$41.55	

TIER IIi

1	Special Management Cells	8	EA	$10,925	$87,400			
2	Cell Furniture	50	EA	$3,500	$175,000			
3	Toilet Apparatus w/basin	30	EA	$4,240	$127,200			
4	Showers	20	EA	$6,280	$125,600			
5	Court IT	1	Lump	$60,000	$60,000			
6	Court Room Furnishing	1	Lump	$100,000	$100,000			
7	Laundry Washer/Dryer 125	2	EA	$31,800	$63,600			
8	Laundry Tables/storage	2	Lump	$8,500	$17,000			
9	Health care	1	Lump	$114,000	$114,000			
10	Office Furniture	30	EA	$2,425	$72,750			
11	Booking Equip/Software	1	Lump	$92,000	$92,000			
12	Countertops	150	LF	$356	$53,400			
13	Cameras/Security Equipme	192	EA	$1,510	$289,920			
14	Computers/Monitors/softw	16	EA	$4,300	$68,800			
15	Lockers, Safe	8	Lump	$3,500	$28,000			
16	Patrol Vehicles	6	Lump	$30,000	$180,000			
17	Transport Vehicles	3	Lump	$50,000	$150,000			
18	Armory	1	Lump	$74,800	$74,800			
19	Maintenance Equipment, S	1	Lump	$22,300	$22,300			
20	Recreation Equipment	1	Lump	$20,000	$20,000			
21	Computer Lab	8	EA	$1,850	$14,800			
22	Education/Religious/Rehat	1	Lump	$76,000	$76,000			
23	Dispatch Equipment	1	Lump	$150,000	$150,000			
					$2,162,570			
	Remaining FF&E				$108,129			
	Total				$2,270,699	60,000	$37.84	

TIER IIj

1	Special Management Cells	4	EA	$10,925	$43,700			
2	Cell Furniture	25	EA	$3,500	$87,500			
3	Toilet Apparatus w/basin	9	EA	$4,240	$38,160			
4	Showers	6	EA	$6,280	$37,680			
5	Court IT	1	Lump	$60,000	$60,000			
6	Court Room Furnishing	1	Lump	$100,000	$100,000			
7	Laundry Washer/Dryer 125	1	EA	$31,800	$31,800			
8	Laundry Tables/storage	1	Lump	$8,500	$8,500			
9	Health care	1	Lump	$114,000	$114,000			
10	Office Furniture	10	EA	$2,425	$24,250			
11	Booking Equip/Software	1	Lump	$92,000	$92,000			
12	Countertops	100	LF	$356	$35,600			
13	Cameras/Security Equipm	180	EA	$1,510	$241,600			
14	Computers/Monitors/softw	24	EA	$4,300	$103,200			
15	Lockers, Safe	6	Lump	$3,500	$21,000			
16	Patrol Vehicle	3	Lump	$30,000	$90,000			
17	Transport Vehicle	2	Lump	$50,000	$100,000			
18	Armory	1	Lump	$74,800	$74,800			
19	Maintenance Equipment, S	1	Lump	$22,300	$22,300			
20	Recreation Equipment	1	Lump	$20,000	$20,000			
21	Computer Lab	4	EA	$1,850	$7,400			
22	Education/Religious/Rehat	1	Lump	$76,000	$76,000			
23	Dispatch Equipment	1	Lump	$150,000	$150,000			
					$1,379,490			
	Remaining FF&E				$78,975			
	Total				$1,458,465	50,000	$33.17	

TIER IIk

1	Special Management Cells	20	EA	$10,925	$218,500			
2	Cell Furniture	225	EA	$3,500	$787,500			
3	Toilet Apparatus w/basin	68	EA	$4,240	$288,320			
4	Showers	45	EA	$6,280	$282,600			
5	Court IT	1	Lump	$60,000	$60,000			
6	Court Room Furnishing	1	Lump	$100,000	$100,000			
7	Laundry Washer/Dryer 125	5	EA	$31,800	$159,000			
8	Laundry Tables/storage	6	Lump	$8,500	$51,000			
9	Health care	1	Lump	$114,000	$114,000			
10	Office Furniture	38	EA	$2,425	$92,150			
11	Booking Equip/Software	1	Lump	$92,000	$92,000			
12	Countertops	400	LF	$356	$142,400			
13	Cameras/Security Equipme	260	EA	$1,510	$392,600			
14	Computers/Monitors/softw	32	EA	$4,300	$137,600			
15	Lockers, Safe	20	Lump	$3,500	$70,000			
16	Patrol Vehicles	14	Lump	$30,000	$420,000			
17	Transport Vehicle	8	Lump	$50,000	$400,000			
18	Armory	1	Lump	$74,800	$74,800			
19	Maintenance Equipment, S	1	Lump	$22,300	$22,300			
20	Recreation Equipment	1	Lump	$60,000	$60,000			
21	Computer Lab	18	EA	$1,850	$33,300			
22	Education/Religious/Rehat	1	Lump	$76,000	$76,000			
23	Dispatch Equipment	1	Lump	$150,000	$150,000			
					$4,262,150			
	Remaining FF&E				$213,108			
	Total				$4,475,258	82,000	$54.58	

TIER IIl

1	Court IT	1	Lump	$60,000	$60,000			
2	Court Room Furnishing	1	Lump	$100,000	$100,000			
3	Office Furniture	10	EA	$2,425	$24,250			
4	Booking Equip/Software	1	Lump	$92,000	$92,000			
5	Countertops	75	LF	$356	$26,700			
6	Cameras/Security Equipme	10	EA	$1,510	$15,100			
7	Computers/Monitors/softw	12	EA	$4,300	$51,600			
8	Lockers, Safe	8	Lump	$3,500	$28,000			
9	Patrol Vehicle	8	Lump	$30,000	$240,000			
10	Transport Vehicle	1	Lump	$50,000	$50,000			
11	Armory	1	Lump	$74,800	$74,800			
12	Maintenance Equipment, S	1	Lump	$22,500	$22,300			
13	Dispatch Equipment	1	Lump	$150,000	$150,000			
					$834,750			
	Remaining FF&E				$46,738			
	Total				$881,488	26,000	$39.26	

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 61,441,833.08
Total Facility Soft Costs - Items 1 through Item 10						$ 26,028,568.08
1. Reserve Fund - 10% of Building Hard Cost						$ 3,541,304.50
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 5,666,087.20
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 2,478,913.15
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 2,124,782.70
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 531,195.68

5. Pre-Construction Services			
5a. Design at Office	**18.00%**		**$ 6,374,348.10**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
5b. Site Investigations	**2.5%**		**$ 885,326.13**
Site Investigations	2.50%		
5c. Assistance prior to Construction	**3.00%**		**$ 1,062,391.35**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
5d. Environmental Impact Assessment			**$ 708,260.90**
Assessment - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 2,124,782.70**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 177,065.23**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 177,065.23**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 177,065.23**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 35,413,045.00**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 6,854,137.74**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 28,559,907.26**
Including Markup, from next page			
Special Structures			

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 25,858,907.26
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	75,000	SF	$ 2.48	$ 186,000.00	$ 27,900.00	$ 213,900.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	75,000	SF	$ 0.78	$ 58,125.00	$ 8,718.75	$ 66,843.75
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	75,000	SF	$ 1.85	$ 138,750.00	$ 20,812.50	$ 159,562.50
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	75,000	SF	$ 19.89	$ 1,491,562.50	$ 223,734.38	$ 1,715,296.88
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	75,000	SF	$ 13.56	$ 1,017,187.50	$ 152,578.13	$ 1,169,765.63
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	75,000	SF	$ 11.64	$ 872,812.50	$ 130,921.88	$ 1,003,734.38
B2030	Exterior Doors	Metal Doors	75,000	EA	$ 1.73	$ 129,375.00	$ 19,406.25	$ 148,781.25
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	75,000	SF	$ 7.81	$ 585,937.50	$ 87,890.63	$ 673,828.13
B3010	Roof Covering	Elastomeric Membrane	75,000	SF	$ 2.09	$ 156,562.50	$ 23,484.38	$ 180,046.88
B3020	Roof Openings	Roof Hatches	75,000	SF	$ 0.03	$ 1,875.00	$ 281.25	$ 2,156.25

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	75,000	SF	$ 3.53	$ 264,375.00	$ 39,656.25	$ 304,031.25
C1020	Interior Doors	Hollow Metal Fire Doors	75,000	EA	$ 1.94	$ 145,312.50	$ 21,796.88	$ 167,109.38
C2010	Stair Construction	Concrete Filled Metal Pan	75,000	SF	$ 2.16	$ 162,187.50	$ 24,328.13	$ 186,515.63
C3010	Wall Finishes	Paint - 2 coats, 2 sides	75,000	SF	$ 2.36	$ 177,187.50	$ 26,578.13	$ 203,765.63
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	75,000	SF	$ 4.32	$ 324,000.00	$ 48,600.00	$ 372,600.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	75,000	SF	$ 2.41	$ 180,750.00	$ 27,112.50	$ 207,862.50
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	75,000	EA	$ 11.35	$ 851,250.00	$ 127,687.50	$ 978,937.50
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	75,000	SF	$ 40.98	$ 3,073,500.00	$ 461,025.00	$ 3,534,525.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	75,000	SF	$ 7.05	$ 528,675.00	$ 79,301.25	$ 607,976.25
D2040	Rain Water Drainage	Roof Drains	75,000	SF	$ 0.64	$ 47,812.50	$ 7,171.88	$ 54,984.38
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	75,000	SF	$ 19.15	$ 1,436,400.00	$ 215,460.00	$ 1,651,860.00
D4030	Fire Protection	Sprinklers	75,000	SF	$ 4.94	$ 370,312.50	$ 55,546.88	$ 425,859.38
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	75,000	SF	$ 3.22	$ 241,395.00	$ 36,209.25	$ 277,604.25
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	75,000	SF	$ 24.30	$ 1,822,432.50	$ 273,364.88	$ 2,095,797.38
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	75,000	SF	$ 5.89	$ 441,892.50	$ 66,283.88	$ 508,176.38
D5090	Emergency Backup	Emergency Generator and Transfer Switch	75,000	SF	$ 1.65	$ 123,750.00	$ 18,562.50	$ 142,312.50

Prepared by Shubnum

Facility Cost
Tier IIIc

Cost Estimate
Date: August 10, 2007

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	75,000	SF	$ 43.77	$ 3,282,615.00	$ 492,392.25	$ 3,775,007.25
E1030	ADA Requirements	ADA Requirements for Staff and inmates	75,000	SF	$ 4.50	$ 337,500.00	$ 50,625.00	$ 388,125.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	75,000	SF	$ 12.79	$ 959,250.00	$ 143,887.50	$ 1,103,137.50
F	LEED Equipment and Services							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 3,085,510.26
G	Special Construction							
G1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			$ 261.28			$ 25,405,613.01
G	Building Sitework and Infrastructure							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	22,000	SF	$ 23.33	$ 513,260.00	$ 76,989.00	$ 590,249.00
H4020	Site Lighting	30' Two Arm Brackets	30	EA	$ 2,700.00	$ 81,000.00	$ 12,150.00	$ 93,150.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	6,500	LF	$ 62.18	$ 404,170.00	$ 60,625.50	$ 464,795.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	75,000	SF	$ 1.02	$ 76,500.00	$ 11,475.00	$ 87,975.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	75,000	SF	$ 3.11	$ 233,250.00	$ 34,987.50	$ 268,237.50
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	200k Gal Tank, Pressure Tank & Associated Piping	200,000	GAL	$ 1.65	$ 330,000.00	$ 49,500.00	$ 379,500.00
		Building Sitework and Infrastructure Total						$ 3,153,294.25

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 64,674,896.10
Total Facility Soft Costs - Items 1 through Item 10						$ 27,398,298.92
1. Reserve Fund - 10% of Building Hard Cost						$ 3,727,659.72
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 5,964,255.55
From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 2,609,361.80
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 2,236,595.83
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 559,148.96
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

8. Pre-Construction Services			
8a. Design at Office	**18.00%**		**$ 6,709,787.49**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
8b. Site Investigations	**2.5%**		**$ 931,914.93**
Site Investigations	2.50%		
8c. Assistance prior to Construction	**3.00%**		**$ 1,118,297.92**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
8d. Environmental Impact Assessment			**$ 745,531.94**
Assessment - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 2,236,595.83**
Management Assistance during Construction - 6%			
9. M & I Government			**$ 186,382.99**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 186,382.99**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 186,382.99**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 37,276,597.17**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 7,214,825.26**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 30,061,771.91**
Including Markup, from next page			
Special Structures			

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 30,061,771.91
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	80,000	SF	$ 2.48	$ 198,400.00	$ 29,760.00	$ 228,160.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	80,000	SF	$ 0.78	$ 62,000.00	$ 9,300.00	$ 71,300.00
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	80,000	SF	$ 1.85	$ 148,000.00	$ 22,200.00	$ 170,200.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	80,000	SF	$ 19.89	$ 1,591,000.00	$ 238,650.00	$ 1,829,650.00
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	80,000	SF	$ 13.56	$ 1,085,000.00	$ 162,750.00	$ 1,247,750.00
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	80,000	SF	$ 11.64	$ 931,000.00	$ 139,650.00	$ 1,070,650.00
B2030	Exterior Doors	Metal Doors	80,000	EA	$ 1.73	$ 138,000.00	$ 20,700.00	$ 158,700.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	80,000	SF	$ 7.81	$ 625,000.00	$ 93,750.00	$ 718,750.00
B3010	Roof Covering	Elastomeric Membrane	80,000	SF	$ 2.09	$ 167,000.00	$ 25,050.00	$ 192,050.00
B3020	Roof Openings	Roof Hatches	80,000	SF	$ 0.03	$ 2,000.00	$ 300.00	$ 2,300.00

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	80,000	SF	$ 3.53	$ 282,000.00	$ 42,300.00	$ 324,300.00
C1020	Interior Doors	Hollow Metal Fire Doors	80,000	EA	$ 1.94	$ 155,000.00	$ 23,250.00	$ 178,250.00
C2010	Stair Construction	Concrete Filled Metal Pan	80,000	SF	$ 2.16	$ 173,000.00	$ 25,950.00	$ 198,950.00
C3010	Wall Finishes	Paint - 2 coats, 2 sides	80,000	SF	$ 2.36	$ 189,000.00	$ 28,350.00	$ 217,350.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	80,000	SF	$ 4.32	$ 345,600.00	$ 51,840.00	$ 397,440.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	80,000	SF	$ 2.41	$ 192,800.00	$ 28,920.00	$ 221,720.00
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	80,000	EA	$ 11.35	$ 908,000.00	$ 136,200.00	$ 1,044,200.00
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	80,000	SF	$ 40.98	$ 3,278,400.00	$ 491,760.00	$ 3,770,160.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	80,000	SF	$ 7.05	$ 563,920.00	$ 84,588.00	$ 648,508.00
D2040	Rain Water Drainage	Roof Drains	80,000	SF	$ 0.64	$ 51,000.00	$ 7,650.00	$ 58,650.00
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	80,000	SF	$ 19.15	$ 1,532,160.00	$ 229,824.00	$ 1,761,984.00
D4030	Fire Protection	Sprinklers	80,000	SF	$ 4.94	$ 395,000.00	$ 59,250.00	$ 454,250.00
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	80,000	SF	$ 3.22	$ 257,488.00	$ 38,623.20	$ 296,111.20
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	80,000	SF	$ 24.30	$ 1,943,928.00	$ 291,589.20	$ 2,235,517.20
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	80,000	SF	$ 5.89	$ 471,352.00	$ 70,702.80	$ 542,054.80
D5090	Emergency Backup	Emergency Generator and Transfer Switch	80,000	SF	$ 1.65	$ 132,000.00	$ 19,800.00	$ 151,800.00

Prepared by Shubnum

Facility Cost
Tier IIIf

Cost Estimate
Date: August 10, 2007

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	80,000	SF	$ 41.72	$ 3,337,771.50	$ 500,665.73	$ 3,838,437.23
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	80,000	SF	$ 4.50	$ 360,000.00	$ 54,000.00	$ 414,000.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	80,000	SF	$ 12.79	$ 1,023,200.00	$ 153,480.00	$ 1,176,680.00
F	LEED Equipment and Services							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 3,264,857.74
G	Special Construction							
G1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			$ 259.24			$ 26,884,730.16
G	Building Sitework and Infrastructure							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	22,000	SF	$ 23.33	$ 513,260.00	$ 76,989.00	$ 590,249.00
H4020	Site Lighting	30' Two Arm Brackets	30	EA	$ 2,700.00	$ 81,000.00	$ 12,150.00	$ 93,150.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	6,500	LF	$ 62.18	$ 404,170.00	$ 60,625.50	$ 464,795.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	80,000	SF	$ 1.02	$ 81,600.00	$ 12,240.00	$ 93,840.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	80,000	SF	$ 3.11	$ 248,800.00	$ 37,320.00	$ 286,120.00
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	200k Gal Tank, Pressure Tank & Associated Piping	200,000	GAL	$ 1.65	$ 330,000.00	$ 49,500.00	$ 379,500.00
		Building Sitework and Infrastructure Total						$ 3,177,041.75

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 47,267,109.56
Total Facility Soft Costs - Items 1 through Item 10						$ 20,032,291.37
1. Reserve Fund - 10% of Building Hard Cost						$ 2,725,481.82
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2007 to August 2017 - Mid point of Construction - 16.0 % of Building Hard Cost						$ 4,360,770.91
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 1,907,837.27
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 1,635,289.09
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 408,822.27

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 4,905,867.27
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 681,370.45
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 817,644.55
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Environmental Impact Assessment		$ 545,096.36
Assessment - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 1,635,289.09
Management Assistance during Construction - 6%		
8. M & I Government		$ 136,274.09
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 136,274.09
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 136,274.09
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 27,254,818.19
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 5,275,126.10
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 21,979,692.09
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 21,979,692.09
	Demolition of Existing Work							
F1020		Demolition of existing		SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	60,000	SF	$ 2.48	$ 148,800.00	$ 22,320.00	$ 171,120.00
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	60,000	SF	$ 0.78	$ 46,500.00	$ 6,975.00	$ 53,475.00
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	60,000	SF	$ 1.85	$ 111,000.00	$ 16,650.00	$ 127,650.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	60,000	SF	$ 19.89	$ 1,193,250.00	$ 178,987.50	$ 1,372,237.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	60,000	SF	$ 13.56	$ 813,750.00	$ 122,062.50	$ 935,812.50
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	60,000	SF	$ 11.64	$ 698,250.00	$ 104,737.50	$ 802,987.50
B2030	Exterior Doors	Metal Doors	60,000	EA	$ 1.73	$ 103,500.00	$ 15,525.00	$ 119,025.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	60,000	SF	$ 7.81	$ 468,750.00	$ 70,312.50	$ 539,062.50
B3010	Roof Covering	Elastomeric Membrane	60,000	SF	$ 2.09	$ 125,250.00	$ 18,787.50	$ 144,037.50
B3020	Roof Openings	Roof Hatches	60,000	SF	$ 0.03	$ 1,500.00	$ 225.00	$ 1,725.00

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	60,000	SF	$ 3.53	$ 211,500.00	$ 31,725.00	$ 243,225.00
C1020	Interior Doors	Hollow Metal Fire Doors	60,000	EA	$ 1.94	$ 116,250.00	$ 17,437.50	$ 133,687.50
C2010	Stair Construction	Concrete Filled Metal Pan	60,000	SF	$ 2.16	$ 129,750.00	$ 19,462.50	$ 149,212.50
C3010	Wall Finishes	Paint - 2 coats, 2 sides	60,000	SF	$ 2.36	$ 141,750.00	$ 21,262.50	$ 163,012.50
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	60,000	SF	$ 4.32	$ 259,200.00	$ 38,880.00	$ 298,080.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	60,000	SF	$ 2.41	$ 144,600.00	$ 21,690.00	$ 166,290.00
D	Services							
D1010	Elevator and Lifts	Hydraulic passenger elevator	60,000	EA	$ 11.35	$ 681,000.00	$ 102,150.00	$ 783,150.00
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	60,000	SF	$ 40.98	$ 2,458,800.00	$ 368,820.00	$ 2,827,620.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	60,000	SF	$ 7.05	$ 422,940.00	$ 63,441.00	$ 486,381.00
D2040	Rain Water Drainage	Roof Drains	60,000	SF	$ 0.64	$ 38,250.00	$ 5,737.50	$ 43,987.50
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	60,000	SF	$ 19.15	$ 1,149,120.00	$ 172,368.00	$ 1,321,488.00
D4030	Fire Protection	Sprinklers	60,000	SF	$ 4.94	$ 296,250.00	$ 44,437.50	$ 340,687.50
D5010	Elect Service - Distrib	Main Service, Panelboard, Feeders	60,000	SF	$ 3.22	$ 193,116.00	$ 28,967.40	$ 222,083.40
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	60,000	SF	$ 24.30	$ 1,457,946.00	$ 218,691.90	$ 1,676,637.90
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	60,000	SF	$ 5.89	$ 353,514.00	$ 53,027.10	$ 406,541.10
D5090	Emergency Backup	Emergency Generator and Transfer Switch	60,000	SF	$ 1.65	$ 99,000.00	$ 14,850.00	$ 113,850.00

Prepared by Shubnum

Facility Cost
Tier IIIg

Cost Estimate
Date: August 10, 2007

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	Matl,Labor,Equip MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	60,000	SF	$ 32.07	$ 1,924,408.50	$ 288,661.28	$ 2,213,069.78
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	60,000	SF	$ 4.50	$ 270,000.00	$ 40,500.00	$ 310,500.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	60,000	SF	$ 12.79	$ 767,400.00	$ 115,110.00	$ 882,510.00
F	LEED Equipment and Services							
F1010	LEED Products	Leadership in Energy and Environmental Design 14%						$ 2,355,437.16
G	Special Construction							
G1010				SF	$ -	$ -	$ -	$ -
		Building Hard Cost per Sq Ft and Sub-Total			$ 249.59			$ 19,404,583.34
G	Building Sitework and Infrastructure							
H1030	Trenching	Utilities, 4' wide, 4' deep, bedding	4,000	LF	$ 16.89	$ 67,560.00	$ 10,134.00	$ 77,694.00
H2010	Parking Lot and Paving	Parking, Sally Port, Courtyard Paving, Curbs	14,000	SF	$ 23.33	$ 326,620.00	$ 48,993.00	$ 375,613.00
H4020	Site Lighting	30' Two Arm Brackets	20	EA	$ 2,700.00	$ 54,000.00	$ 8,100.00	$ 62,100.00
H4030	Storm Drainage	Storm Drainage	3,600	LF	$ 32.30	$ 116,280.00	$ 17,442.00	$ 133,722.00
H4035	WWTP	Waste Water Treatment Plant, Lift Station, Pipeline	1	EA	$ 615,000.00	$ 615,000.00	$ 92,250.00	$ 707,250.00
H4037	Ancillary Road	Gravel road	15,000	LF	$ 2.98	$ 44,700.00	$ 6,705.00	$ 51,405.00
H4039	Fencing	12' Chain Link w/ 3 strands of barb & razor wire, gates	5,500	LF	$ 62.18	$ 341,990.00	$ 51,298.50	$ 393,288.50
H4040	Utility Building	House Generator, pumps, Switchgear	1,000	SF	$ 82.00	$ 82,000.00	$ 12,300.00	$ 94,300.00
H5010	Propane Tanks	Tanks & Associated Piping	60,000	SF	$ 1.02	$ 61,200.00	$ 9,180.00	$ 70,380.00
H5020	Elect/Tel Connection	Extensions, coordination	750	LF	$ 197.50	$ 148,125.00	$ 22,218.75	$ 170,343.75
H5030	Fire Hydrant	Fire Hydrant, Outlets, Controls, Fire Pump	60,000	SF	$ 3.11	$ 186,600.00	$ 27,990.00	$ 214,590.00
H5040	Landscaping	Walkways, Lawn, Basketball Hoop, Trees/bushes	9,000	SF	$ 3.35	$ 30,150.00	$ 4,522.50	$ 34,672.50
H5050	Water Tanks	100k Gal Tank, Pressure Tank & Associated Piping	100,000	GAL	$ 1.65	$ 165,000.00	$ 24,750.00	$ 189,750.00
		Building Sitework and Infrastructure Total						$ 2,575,108.75

Worksheet for Ancillary Equipment - Tier III

		TIER IIIc			
1	Special Management Cells	18	EA	$10,925.00	$174,800.00
2	Cell Furniture	250	EA	$3,500.00	$875,000.00
3	Toilet Apparatus w/basin	60	EA	$4,240.00	$254,400.00
4	Showers	40	EA	$6,280.00	$251,200.00
5	Court IT	1	Lump	$60,000.00	$60,000.00
7	Laundry Washer/Dryer 12lt	4	EA	$31,600.00	$127,200.00
8	Laundry Tables/storage	4	Lump	$8,500.00	$34,000.00
9	Health care	1	Lump	$114,000.00	$114,000.00
10	Office Furniture	32	EA	$2,425.00	$72,750.00
11	Booking Equip/Software	1	Lump	$92,000.00	$92,000.00
12	Countertops	300	LF	$356.00	$106,800.00
13	Cameras/Security Equipmt	240	EA	$1,510.00	$362,400.00
14	Computers/Monitors/Interfac	24	EA	$4,300.00	$103,200.00
15	Lockers, Safe	15	Lump	$3,550.00	$53,250.00
17	Transport Vehicle	6	Lump	$50,050.00	$300,300.00
19	Maintenance Equipment, S	1	Lump	$22,300.00	$22,300.00
20	Recreation Equipment	1	Lump	$20,000.00	$20,000.00
21	Computer Lab	15	EA	$1,850.00	$27,750.00
22	Education/Religious/Rehat	1	Lump	$75,000.00	$75,000.00
					$3,126,350.00
	Remaining FF&E				$156,315.00
	Total				$3,282,515.00

		TIER IIIf			
1	Special Management Cells	18	EA	$10,925.00	$174,800.00
2	Cell Furniture	250	EA	$3,500.00	$875,000.00
3	Toilet Apparatus w/basin	60	EA	$4,240.00	$254,400.00
4	Showers	40	EA	$6,280.00	$251,200.00
5	Court IT	1	Lump	$60,000.00	$60,000.00
7	Laundry Washer/Dryer 12lt	4	EA	$31,600.00	$127,200.00
8	Laundry Tables/storage	4	Lump	$8,500.00	$34,000.00
9	Health care	1	Lump	$114,000.00	$114,000.00
10	Office Furniture	32	EA	$2,425.00	$77,600.00
11	Booking Equip/Software	1	Lump	$92,000.00	$92,000.00
12	Countertops	300	LF	$356.00	$113,920.00
13	Cameras/Security Equipmt	255	EA	$1,510.00	$385,050.00
14	Computers/Monitors/Interfac	27	EA	$4,300.00	$116,100.00
15	Lockers, Safe	16	Lump	$3,550.00	$56,800.00
17	Transport Vehicle	6	Lump	$50,050.00	$300,300.00
19	Maintenance Equipment, S	1	Lump	$22,300.00	$22,300.00
20	Recreation Equipment	1	Lump	$20,000.00	$20,000.00
21	Computer Lab	15	EA	$1,850.00	$27,750.00
22	Education/Religious/Rehat	1	Lump	$75,000.00	$75,000.00
					$3,175,620.00
	Remaining FF&E				$158,941.50
	Total				$3,337,771.50

		TIER IIIg			
1	Special Management Cells	9	EA	$10,925.00	$97,425.00
2	Cell Furniture	100	EA	$3,500.00	$350,000.00
3	Toilet Apparatus w/basin	30	EA	$4,240.00	$127,200.00
4	Showers	20	EA	$6,280.00	$125,600.00
5	Court IT	1	Lump	$60,000.00	$60,000.00
7	Laundry Washer/Dryer 12lt	2	EA	$31,600.00	$63,000.00
8	Laundry Tables/storage	2	Lump	$8,500.00	$17,000.00
9	Health care	1	Lump	$114,000.00	$114,000.00
10	Office Furniture	30	EA	$2,425.00	$72,750.00
11	Booking Equip/Software	1	Lump	$92,000.00	$92,000.00
12	Countertops	150	LF	$356.00	$53,400.00
13	Cameras/Security Equipmt	192	EA	$1,510.00	$289,920.00
14	Computers/Monitors/Interfac	16	EA	$4,300.00	$68,800.00
15	Lockers, Safe	8	Lump	$3,550.00	$28,000.00
17	Transport Vehicles	3	Lump	$50,050.00	$150,300.00
19	Maintenance Equipment, S	1	Lump	$22,300.00	$22,300.00
20	Recreation Equipment	1	Lump	$25,000.00	$25,000.00
21	Computer Lab	8	EA	$1,850.00	$14,800.00
22	Education/Religious/Rehat	1	Lump	$75,000.00	$75,000.00
					$1,832,770.00
	Remaining FF&E				$91,638.50
	Total				$1,924,408.50

Appendix J

Annual Facility Operations and Maintenance Costs Analysis

This Appendix consists of:
Appendix J 1 – Annual Facilities Operations and Maintenance Costs that includes calculations for the projected costs escalated to year 2011. An adjustment was made to account for very small facilities that have high fixed costs for operations.

Appendix J 2 – Annual Cost and Aging Analysis for the Facilities' Operations and Maintenance. Averages for site operations and maintenance were determined and then escalated to the year 2011 in Appendix J 1.

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

Appendix J 1

Annual Facilities Operations and Maintenance Costs

The following costs are based on FMIS Historical Facility Operations and Maintenance Data Cost Analysis for facilities in BIA inventory which is detailed in Appendix J 2 that follows.

Operations of Facilities (includes staffing costs)	$ 9.99 per Sq. Ft./Yr of covered space
Routine Maintenance	$ 4.87 per Sq. Ft./Yr of covered space
Total	$ 14.86 per Sq. Ft./Yr of covered space

Projected Escalation per year	4%
Total Escalation to Year 2011	16%
Escalation Costs per sq. ft./yr	$ 2.38
Facility Operations and Maintenance Costs above	$ 14.86
Escalated Costs for Facility Operations And Maintenance in Year 2011	$ 17.24 per Sq. Ft./Yr of covered space

A Scaling factor of 1.33 is used for Tier I facilities to account for the very small area of the facility compared to the average larger facilities with average area of 18,333 sq. ft. that was used to derive the average of 63 facilities operations and maintenance costs in the BIA inventory. Thus:

Tier I facility Operations and Maintenance Cost = 1.33 x $17.24 = $22.93 per Sq. ft. of covered space.

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

Appendix J 2
Annual Cost and Aging Analysis Sampling
of Facility Operations and Maintenance

	Facility												Average Per Square Foot							
													$8	$ 4.25	$ 1.30	$ 5.55	$ 9.99	$ 4.87	$ 14.86	$ 9.33
Item No.	Location Number	Service Number	Structure Status	Structure Use	Region	OIMT Funded Location	Location	Age	Owner	Gross SqFt	Funded Sq Ft	Funded Percentage of Gross Sq Ft	Facility Operations Funded Per Sq Ft	Facility Maintenance Funded Per Sq Ft	Facility Total Funded Per Sq Ft	FMIS Operations Needs Per Sq Ft	FMIS Maintenance Needs Per Sq Ft	FMIS Total Needs Per Sq Ft	Deferred Needs Per Sq Ft
1	A01-02	2105	Occupied	Detention Center, Adult/Juvenile	Great Plains	Yes	Cheyenne River Detention Center	15	BIA	19,151	16,296	83	$ 3.95	$ 0.78	$ 4.74	$ 9.30	$ 2.94	$ 12.24	$ 7.50
2	A04-02	900055	Occupied	Detention Center, Adult/Juvenile	Great Plains	Yes	Gerald Tex Fox Justice Center (Fort Bart	2	Tribal	30,369	24,751	81	$ 4.20	$ 1.02	$ 5.22	$ 9.88	$ 3.85	$ 13.73	$ 8.51
3	A04-13	251	Occupied	Law Enforcement Center	Great Plains	Yes	Mandaree Law Enforcement Center	33	BIA	5,163	3,475	67	$ 1.15	$ 2.20	$ 3.34	$ 2.70	$ 8.27	$ 10.97	$ 7.63
4	A04-14	409	Occupied	Law Enforcement Center	Great Plains	Yes	White Shield Law Enforcement Center	30	BIA	2,360	2,296	91	$ 1.49	$ 0.98	$ 2.47	$ 3.50	$ 3.60	$ 7.20	$ 4.73
5	A05-02	1064	Occupied	Detention Center, Adult	Great Plains	Yes	Fort Totten Law Enforcement Center	20	BIA	7,262	6,159	79	$ 3.04	$ 1.93	$ 5.00	$ 7.15	$ 7.30	$ 14.51	$ 9.51
6	A06-28	354	Occupied	Detention Center, Adult	Great Plains	Yes	Medicine Root Detention Center	29	BIA	10,908	8,754	83	$ 5.41	$ 0.68	$ 6.09	$ 12.73	$ 2.95	$ 15.28	$ 9.19
7	A06-29	377	Occupied	Law Enforcement Center	Great Plains	Yes	Medicine Root Detention Center	17	BIA	23,024	17,994	92								
8	A06-29	976	Occupied	Law Enforcement Center	Great Plains	Yes	Lesterman Law Enforcement	27	BIA	2,400	2,316	97	$ 4.04	$ 1.36	$ 5.40	$ 9.50	$ 5.11	$ 14.60	$ 9.20
9	A06-30	663	Occupied	Law Enforcement Center	Great Plains	Yes	Porcupine Law Enforcement Center	27	BIA	2,400	2,325	97	$ 4.53	$ 1.93	$ 6.47	$ 10.66	$ 7.29	$ 17.95	$ 11.48
10	A06-31	352	Occupied	Law Enforcement Center	Great Plains	Yes	Wanblee Law Enforcement Center	29	BIA	2,400	2,539	106	$ 3.58	$ 1.52	$ 5.10	$ 8.42	$ 5.71	$ 14.12	$ 9.02
11	A06-32	168	Occupied	Detention Center, Adult	Great Plains	Yes	Pine Ridge Detention Center	27	BIA	13,734	8,729	74	$ 5.89	$ 1.17	$ 7.05	$ 11.84	$ 4.40	$ 16.24	$ 11.19
12	A06-33	900001	Occupied	Detention Center, Adult	Great Plains	No	Oglala Sioux Tribal Offenders Facility	23	Tribal	50,000	48,803	86								
13	A07-13	900001	Occupied	Detention Center, Juvenile	Great Plains	Yes	Wambli Wiconi Tipi (Rosebud)	2	Tribal	51,646	51,472	100	$ 2.64	$ 0.46	$ 3.10	$ 6.20	$ 1.72	$ 7.93	$ 4.83
14	A07-14	140	Occupied	Detention Center, Adult	Great Plains	Yes	Rosebud Detention Center	23	BIA	15,272	13,184	87	$ 4.32	$ 1.17	$ 5.49	$ 10.61	$ 4.49	$ 15.03	$ 9.34
15	A19-02	53	Occupied	Detention Center, Adult	Great Plains	Yes	Standing Rock Detention Center	21	BIA	18,254	17,594	96	$ 4.34	$ 0.99	$ 5.34	$ 10.21	$ 3.74	$ 13.96	$ 8.62
16	A31-13	84	Occupied	Detention Center, Adult	Great Plains	Yes	Turtle Mountain Detention Center	48	BIA	13,197	11,803	89	$ 4.20	$ 1.37	$ 5.57	$ 9.88	$ 8.14	$ 18.02	$ 9.45
17	A13-02	2	Occupied	Detention Center, Adult	Great Plains	Yes	Omaha Tribal Police Department (Macy)	20	BIA	11,678	10,730	92	$ 4.95	$ 5.33	$ 5.38	$ 10.71	$ 5.01	$ 15.71	$ 9.83
18	A15-13	LES2005	Prop New	Detention Center, Adult/Juvenile	Great Plains	No	Lower Brule Justice Center	1	Tribal	42,500										
19	B08-66	100	Occupied	Detention Center, Juvenile	Southern Plai	Yes	Sac & Fox Juvenile Detention Center	13	Tribal	53,192	45,667	86	$ 3.46	$ 0.53	$ 3.98	$ 8.13	$ 1.99	$ 10.12	$ 6.14
20	C51-02	120	Occupied	Detention Center, Adult	Rocky Mtn	Yes	Blackfeet Detention Center	17	BIA	9,417	8,487	90	$ 5.66	$ 1.87	$ 7.53	$ 13.80	$ 7.05	$ 20.85	$ 12.82
21	C52-01	1-1	Occupied	Detention Center, Adult	Rocky Mtn	Yes	Crow Law Enforcement Center	14	BIA	7,221	6,369	88	$ 4.99	$ 2.19	$ 7.13	$ 11.63	$ 8.24	$ 19.87	$ 12.74
22	C55-13	116	Occupied	Detention Center, Adult	Rocky Mtn	Yes	Fort Belknap Detention Center	34	BIA	7,821	7,311	94	$ 2.48	$ 1.01	$ 3.50	$ 5.84	$ 1.82	$ 9.66	$ 6.18
23	C56-02	69	Occupied	Detention Center, Adult	Rocky Mtn	Yes	Fort Peck Detention Center	28	BIA	10,842	9,139	84	$ 3.68	$ 1.46	$ 5.13	$ 8.65	$ 5.49	$ 14.13	$ 9.00
24	C56-02	85	Occupied	Detention Center, Juvenile	Rocky Mtn	Yes	Fort Peck Detention Center	14	BIA	13,992	11,793	85								
25	C56-02	85A	Occupied	Detention Center, Juvenile	Rocky Mtn	Yes	Fort Peck Detention Center	3	Tribal	10,715	9,340	87								
26	C57-13	119	Occupied	Law Enforcement Center	Rocky Mtn	Yes	Northern Cheyenne Detention Center	5	BIA	1,328	1,068	97	$ 5.39	$ 1.86	$ 7.25	$ 12.67	$ 7.82	$ 19.68	$ 12.43
27	C57-13	120	Occupied	Detention Center, Adult	Rocky Mtn	Yes	Northern Cheyenne Detention Center	44	BIA	8,371	6,809	82	$ 3.44	$ 0.58	$ 4.02	$ 6.08	$ 2.18	$ 10.26	$ 6.24
28	C57-14	504	Occupied	Detention Center, Juvenile	Rocky Mtn	Yes	Northern Cheyenne Youth Services Cente	2	BIA	26,505	25,416	96								
29	C58-02	109	Occupied	Detention Center, Adult	Rocky Mtn	Yes	Wind River Adult Detention Center	22	BIA	11,443	10,161	89	$ 3.60	$ 1.99	$ 5.60	$ 8.47	$ 7.52	$ 15.99	$ 10.39
30	B52-13	13	Occupied	Detention Center, Adult/Juvenile	Midwest	Yes	Red Lake Detention Center	11	BIA	5,289	4,244	80	$ 3.74	$ 0.37	$ 4.11	$ 6.45	$ 1.38	$ 7.83	$ 4.72
31	B52-13	ES2004-1	Occupied	Detention Center, Adult/Juvenile	Midwest	Yes	Red Lake Detention Center	4	Tribal	47,460	41,371	87								
32	B52-13	ES2004-1	Occupied	Detention Center, Juvenile	Midwest	Yes	Red Lake Detention Center	3	Tribal	14,141	13,832	133								
33	B53-32	220	Occupied	Law Enforcement Center	Midwest	No	Nett Lake Law Enforcement Center	30	BIA	4,647	4,217	91								
34	B58-08	1	Occupied	Detention Center, Adult	Midwest	Yes	Menominee Tribal Detention Center	23	BIA	17,948	17,302	96	$ 4.82	$ 1.75	$ 6.57	$ 11.34	$ 5.59	$ 17.93	$ 11.36
35	B65-03	LES 2003	Occupied	Detention Center, Juvenile	Midwest	Yes	Sault Ste Marie Tribe of Chippewa India	3	Tribal	11,440	11,428	100	$ 5.17	$ 1.66	$ 6.83	$ 8.79	$ 6.26	$ 14.65	$ 9.42
36	H52-22	84	Occupied	Detention Center, Adult/Juvenile	Western	Yes	White Mountain Apache Department of C	23	BIA	22,186	19,630	88	$ 2.10	$ 0.77	$ 2.87	$ 4.93	$ 2.91	$ 7.84	$ 4.97
37	H54-02	68	Occupied	Detention Center, Adult	Western	Yes	Tohono Oodham Detention Facility (Sell	20	BIA	8,867	6,540	74	$ 7.61	$ 1.52	$ 9.13	$ 17.89	$ 5.74	$ 23.62	$ 14.49
38	H54-03	LES2006	Proposed New	Detention Center, Adult/Juvenile	Western	Yes	Tohono Oodham Nation Tribal Correctio		Tribal	24,000										

Appendix J 2
Annual Cost and Aging Analysis Sampling of Facility Operations and Maintenance

	Facility											Average Per Square Foot							
												88	$ 4.25	$ 1.30	$ 5.55	$ 9.99	$ 4.87	$ 14.86	$ 9.31
Row No.	Location Number	Street Number	Structure Status	Structure Use	Region	BIA/AK Funded Facility	Location	Age	Owner	Gross SqFt	Funded Sq Ft	Funded Percentage of Gross Sq Ft	Facility Operations Funded Per Sq Ft	Facility Maintenance Funded Per Sq Ft	Facility Total Funded Per Sq Ft	FMIS Operations Needs Per Sq Ft	FMIS Maintenance Needs Per Sq Ft	FMIS Total Needs Per Sq Ft	Deferred Needs Per Sq Ft
39	HS3-02	241	Occupied	Law Enforcement Center	Western	No	Salt River Pima-Maricopa Department of	1	Tribal	24,878	29,296	118							
40	HS5-02	243	Occupied	Detention Center, Juvenile	Western	No	Salt River Pima-Maricopa Department of	1	Tribal	15,600	12,600	81							
41	HS5-02	244	Occupied	Detention Center, Adult	Western	No	Salt River Pima-Maricopa Department of	1	Tribal	14,351	13,073	91							
42	HS7-12	86	Occupied	Detention Center, Adult	Western	No	Gila River Department of Corrections &	2	Tribal	25,434	387	1							
43	HS8-13	86	Occupied	Detention Center, Adult	Western	Yes	San Carlos Department of Corrections &	10	BIA	20,100	17,993	86	$ 3.79	$ 1.05	$ 4.84	$ 8.91	$ 3.96	$ 12.87	$ 8.03
44	HS8-13	200	Occupied	Detention Center, Adult/Juvenile	Western	Yes	San Carlos Department of Corrections &	2	BIA	52,058	51,094	98							
45	HS4-13	305	Occupied	Detention Center, Adult	Western	Yes	Duck Valley Adult Detention Facility	20	BIA	8,427	14,026	166	$ 3.19	$ 0.92	$ 4.11	$ 7.49	$ 3.47	$ 10.96	$ 6.85
46	HS4-34	LES2004	Occupied	Detention Center, Juvenile	Western	Yes	Duck Valley Juvenile Services Center	2	Tribal	18,600	17,382	93	$ 4.56	$ 1.34	$ 5.89	$ 10.72	$ 4.68	$ 15.39	$ 9.50
47	HS5-03	700	Occupied	Detention Center, Adult	Western	Yes	Hopi Agency Detention Center	26	BIA	23,790	17,938	82	$ 5.42	$ 1.11	$ 6.53	$ 12.35	$ 4.17	$ 16.92	$ 10.39
48	HS8-11	1010	Occupied	Detention Center, Adult	Western	Yes	Supai Jail	41	BIA	1,365	1,051	79	$ 10.85	$ 4.63	$ 15.48	$ 25.51	$ 17.45	$ 42.96	$ 27.48
49	HS9-13	620	Occupied	Detention Center, Adult	Western	Yes	Tuba City Agency Detention Center	23	BIA	10,358	9,428	91	$ 6.42	$ 1.49	$ 7.91	$ 15.10	$ 5.62	$ 20.72	$ 12.81
50	HS8-14	LES2005	Proposed New	Detention Center, Juvenile	Western	No	Hualapai Regional Juvenile Rehabilitation	0	Tribal	18,000									
51	HS9-02	To001	Occupied	Law Enforcement Center	Western	No	Southern Paiute Law Enforcement Center	27	Tribal	1,152	1,035	90							
52	M49-02	107	Occupied	Detention Center, Adult/Juvenile	Southwest	Yes	Chief Ignacio Justice Center	7	BIA	48,646	64,918	145	$ 5.90	$ 0.62	$ 6.52	$ 6.81	$ 2.34	$ 9.15	$ 5.63
53	M20-03	LES2004	Occupied	Detention Center, Adult/Juvenile	Southwest	Yes	Pueblo of Zuni Juvenile and Adult Corre	2	Tribal	20,800	24,211	117	$ 3.37	$ 0.81	$ 4.18	$ 7.92	$ 3.05	$ 10.97	$ 6.79
54	N03-32	950	Occupied	Detention Center, Juvenile	Navajo	Yes	Western Navajo Juvenile Corrections Ce	11	BIA	25,000	23,454	94	$ 2.78	$ 0.64	$ 3.42	$ 6.53	$ 2.42	$ 8.95	$ 5.53
55	N04-32	1380	Occupied	Law Enforcement Center	Navajo	Yes	Eastern Navajo Law Enforcement Center		BIA	866	1,118	129	$ 2.58	$ 0.49	$ 3.08	$ 6.07	$ 1.85	$ 7.92	$ 4.84
56	N35-32	1330	Occupied	Detention Center, Juvenile	Navajo	Yes	Chinle Youth Corrections Center	7	BIA	29,153	25,890	89	$ 7.29	$ 0.84	$ 8.13	$ 17.15	$ 3.15	$ 20.30	$ 12.17
57	P03-13	41	Occupied	Detention Center, Adult/Juvenile	Northwest	Yes	Confederated Tribes of the Colville Reser	2	Tribal	28,575	26,984	94	$ 4.02	$ 3.45	$ 7.47	$ 9.44	$ 13.01	$ 22.45	$ 14.98
58	P09-04	271	Occupied	Detention Center, Adult	Northwest	Yes	Quinault Detention Center	21	BIA	6,150	6,142	100	$ 4.42	$ 1.52	$ 5.94	$ 10.36	$ 5.73	$ 16.11	$ 10.17
59	P09-02	1030	Occupied	Detention Center, Adult	Northwest	Yes	Warm Springs Detention Center	21	BIA	16,758	16,263	97	$ 2.62	$ 0.70	$ 3.32	$ 6.16	$ 2.62	$ 8.79	$ 5.47
60	P10-32	LES2004	Occupied	Detention Center, Adult/Juvenile	Northwest	Yes	Nisqually Indian Tribal Jail	2	Tribal	7,375	7,246	98	$ 5.37	$ 0.70	$ 5.97	$ 12.39	$ 2.64	$ 15.03	$ 9.06
61	P12-02	240	Occupied	Detention Center, Adult	Northwest	Yes	Spokane Law Enforcement Center	41	BIA	4,892	4,892	58	$ 5.09	$ 1.22	$ 6.58	$ 11.90	$ 4.97	$ 16.87	$ 10.49
62	S78-03	LES2004	Occupied	Detention Center, Adult/Juvenile	Eastern	Yes	Choctaw Corrections Center	3	Tribal	67,685	58,438	87	$ 5.61	$ 0.45	$ 6.06	$ 13.19	$ 1.69	$ 14.87	$ 8.83
63	S78-02	ES5834-B	Occupied	Detention Center, Juvenile	Eastern	Yes	Choctaw Corrections Center	2	Tribal	2,674	2,674	100							
							Average Age of All Facilities in Invento	17.5											
							Average Age of Facilities in Inventory excluding 3 years or younger	26											
							Average Enclosed Area of Facility Sq Ft			18,333									
							Average Funded Percentage Sq Ft					88							
							Average O & M Funded Per Sq Ft						$ 4.25	$ 1.30	$ 5.55				
							Average O & M Needs Per Sq Ft									$ 9.99	$ 4.87	$ 14.86	
							Average O & M Deficiency Per Sq Ft												$ 9.31

Appendix K

Annual Program Operations Costs Analysis

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

The supporting funding in order to operate a facility, once it is opened, are noted in Appendices J and K.

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

DRAFT

Annual Program Operations Costs Analysis

The facility space is designed to meet a certain functional capacity of the number of individuals who work and are permanently housed in it. This includes the Law Enforcement Officers, Criminal Investigators, Dispatch, Corrections staff, Rehabilitation staff, inmates and Judges and their staff.

The Tier system noted in Appendix G defines the number of occupants for the Tier and the Facility Type.

Costs of Program Operations within a facility, is a function of the physical space and its design to meet the program needs. The new facilities will be designed for 'Direct Supervision' which is less staff-intensive in contrast to the earlier facilities which were primarily designed for 'Linear Supervision.' Fewer 'posts' are needed to operate a direct-supervision facility. The Program Operations cost can be calculated as a percentage of the initial capital cost of a facility.

Based on the functional need that is met by a facility, staffing can be quantified. This includes the number of inmates housed, three shifts of supervisory staff, other support program staff, correction officers, law enforcement officers, Judges and their staff and 'benefit/time-off coefficient.'

On an average the fully loaded cost for a staff member is considered as $54,000 per year in the year 2011 dollar costs.

For a detention and/or corrections facility, the inmate to staff ratio is considered 8:1 in a direct supervision type of facility. The inmate to staff ratio is considered 3:1 for special management cells.

Thus the Program Operations costs are calculated as follows for each of the tiers beginning on the next page:

Appendix K – Annual Program Operations Cost Analysis for Tier I, Tier II and Tier III facilities

Tier I Facility Annual Program Operations Cost as a percentage of initial capital cost

A typical Tier Ic facility is a 28 bed Detention and Holding Substation Facility with a small law enforcement function.

1) Corrections Staffing
At an inmate to staff ratio of 8:1, requires 3.5 corrections officers per shift or a total of 11 corrections officers including shift supervisors.
A benefit/time-off coefficient of 1.15 establishes 11 x 1.15 = 13 FTE officers.
Add 1 Chief Corrections Officer for a total of 14 FTE officers.
14 FTEs at Fully Loaded cost per year of $54,000/FTE = $ 756,000.00 per year

2) Food, Supplies costs (inmates)
Average Food Costs: Delivered per meal cost $4.25, escalated 16% for 2011 costs = $ 4.93 per meal
Monthly Food Cost for 28 inmates= $4.93per meal x 3meals x 30 days x 28inmates = $ 12, 424.00
Annual Food Costs for 28 inmates:
$12,424.00 x 12 months = $ 149,088.00 per year

Disposable Supplies (toothpaste, tooth brush, personal hygiene) Cost: $ 1.50 per day, per inmate
Monthly Disposables Supplies Cost: $1.50 x 30 days x 28 inmates = $ 1260.00 per month

Annual Disposable Supplies Cost, escalated 16% for year 2011:
((0.16 x 1260) + $1260) x 12months = $1462.00 x 12 = $ 17, 544.00 per year

Other Fixed Operations Supplies (Mattress, blankets, slippers, uniforms) Cost: $2.00 per day, per inmate.
Monthly Fixed Operations Supplies Cost: $2.00 x 30days x 28 inmates = $ 1680.00 per month
Annual Fixed Operations Supplies Cost, escalated 16% for year 2011:
((0.16 x 1680) + $1680) x 12 months = $ 1949 x 12 = $ 23,388.00 per year

Total for Food, Disposable Supplies and Fixed Operations Supplies:
($ 149,088.00 + $ 17,544.00 + $ 23,388.00) = $ 190,020.00 per year

This cost represented as a percentage of Staffing Cost item 1) above is:
$190,020.00 / $ 756,000.00 = 25% of Corrections Staffing Costs

Appendix K – Annual Program Operations Cost Analysis for Tier I, Tier II and Tier III facilities

3) Law Enforcement Staffing
The facility will provide for 3 shifts of 2 Law Enforcement Officers = 2 FTE officers
A benefit/time-off coefficient of 1.15 establishes 2 x 1.15 = 2 FTE officers.
2 x 3 shifts = 6 FTEs at Fully Loaded cost per year of $54,000/FTE = $324,000.00 per year

4) Transport Cost to Healthcare Facility, Tier II or Tier III facility
Depreciation, Fuel and Maintenance for Transport Vehicle, Transport Officer Training and per diem costs for officer during transport based on 28 inmates at the facility.
$18.00 per day, per inmate, or 18x28x365 = $183, 960.00 per year

---

Total Program Operations cost = $1,453,980 per year

Facility Operations and Maintenance
Based on Appendix J: Escalated to year 2011 cost $17.24/SF x 5000 SF x 1.33 scaling factor for small facility
$ 17.24 x 5000 x 1.33 = $ 114,646.00 per year

Total Program Operations and Facility Operations and Maintenance cost = $1,568,626.00 per year

---

Appendix L Total Initial Capital Outlay Cost for a 5000 SF Tier Ic facility = $ 8,879,891.00

Total Annual Operations Cost as a percentage of initial capital cost =
$ 1,568,626 / $ 8,879,891 = 17.67% of initial capital cost

DRAFT

Tier II Facility Annual Program Operations Cost as a percentage of initial capital cost

A typical Tier IIc facility is a combination of Law Enforcement, Criminal Investigators, Dispatch, Corrections/Rehabilitation and a full court with a video court arrangement for tribal court arraignments when functioning as a facility serving multiple tribes. A typical Type IIc facility provides housing for 150 inmates.

1) Corrections Staffing
At an inmate to staff ratio of 8:1, requires 19 corrections officers per shift or a total of 57 corrections officers including shift supervisors.
A benefit/time-off coefficient of 1.15 establishes 57 x 1.15 = 66 FTE officers.
Add 1 Chief Corrections Officer and 1 supporting staff for a total of 68 FTE officers.
68 FTEs at Fully Loaded cost per year of $54,000/FTE = $ 3,672,000.00 per year

2) Food, Supplies Program costs (inmates) = 0.25 x $ 3,672,000.00 = $ 918,000.00 per year

3) Law Enforcement Staffing
The facility will provide for 3 shifts of 7 Law Enforcement Officers = 21 FTE officers
A benefit/time-off coefficient of 1.15 establishes 21 x 1.15 = 24 FTE officers.
24 FTEs at Fully Loaded cost per year of $54,000/FTE = $1,296,000.00 per year

4) Rehabilitation Staffing
Staffing for Healthcare and Education Programs to support rehabilitation of the inmate population.
10% of item 1) above supporting the corrections staffing = 7 FTE officers
7 FTEs at Fully Loaded cost per year of $54,000/FTE = $ 376,000.00 per year

DRAFT

Appendix K – Annual Program Operations Cost Analysis for Tier I, Tier II and Tier III facilities

5) Courts Staffing
The facility will provide for 2 judges and 1 supporting staff members= 3 FTE
3 FTEs at Fully Loaded cost per year of $54,000/FTE = $162,000.00 per year

Add items 1), 2), 3), 4) and 5) for all Staffing, Food and Supplies = $ 6,424,000.00 per year

Facility Operations and Maintenance Cost
Appendix J calculated costs at $ 17.24 per Sq. Ft for 75,000 SF = $ 1,293,000.00 per year

Total Program Operations and Facility Operations and Maintenance= $ 7,717,000.00 per year

Appendix L calculated costs
for Initial Capital Outlay Cost for a 75,000 SF, Tier IIc facility = $ 73,999,654.00

Total Annual Operations Cost as a percentage of initial capital cost =
$ 7,717,000 / $ 73,999,654 = 10.43% of initial capital cost

Of which the Facility Operations and Maintenance cost = $ 1,293,000 / $ 73,999,654
= 1.75%

Subtract from total Annual Operations of 10.43% = 8.68% is the cost of Program Operations per year, as a percentage of initial capital cost of the facility.

Thus for Tier II facilities use Program Operations Cost per year = 8.68% of initial capital cost.

DRAFT

Tier III Facility Annual Program Operations Cost as a percentage of initial capital cost

A typical Tier IIIc facility is a regional facility that primarily houses 250 inmates. There are no Law Enforcement or Judicial Functions other than a video court arrangement. The facility also serves as a rehabilitation facility with supporting staff to provide healthcare and education programs.

1) Corrections Staffing for Special Management Cells
Special Management Cells = 10% of 250 cells or 25 cells
At an inmate to staff ratio of 3:1, these require 8 corrections officers per shift or a total of 24 corrections officers including shift supervisors.
A benefit/time-off coefficient of 1.15 establishes 24 x 1.15 = 28 FTE officers.
Add 1 Deputy Chief Corrections Officer and 1 supporting staff for a total of 30 FTE officers.
30 FTEs at Fully Loaded cost per year of $54,000/FTE = $ 1,620,000.00 per year

2) Corrections Staffing for Regular Management Cells
Regular Management Cells = Total Cells – Special Management Cells
Regular Management Cells = 250 – 25 = 225 cells
At an inmate to staff ratio of 8:1, these require 28 corrections officers per shift or a total of 84 corrections officers including shift supervisors.
A benefit/time-off coefficient of 1.15 establishes 84 x 1.15 = 97 FTE officers.
Add 1 Chief Corrections Officer and 1 supporting staff for a total of 99 FTE officers.
99 FTEs at Fully Loaded cost per year of $54,000/FTE = $ 5,346,000.00 per year

3) Food, Supplies Program costs supporting the inmate population = 0.25 x (Items 1) and 2)) above
0.25 x ($ 1,620,000.00 + $ 5,346,000.00) = 0.25 x $6,966,000.00 per year
= $ 1,741,500.00 per year

DRAFT

Appendix K – Annual Program Operations Cost Analysis for Tier I, Tier II and Tier III facilities

4) Rehabilitation Staffing
Staffing for Healthcare and Education Programs to support rehabilitation of the inmate population.
10% of items 1) and 2) above to supporting the corrections staffing = 0.1 x 129 = 13 FTE officers
13 FTEs at Fully Loaded cost per year of $54,000/FTE = $ 702,000.00 per year

---

Add items 1), 2), 3) and 4) for all Staffing, Food and Supplies = $ 9,409,500.00 per year

Facility Operations and Maintenance Cost
Appendix J calculated costs at $ 17.24 per Sq. Ft for 75,000 SF = $ 1,293,000.00 per year

---

Total Program Operations and Facility Operations and Maintenance= $ 10,702,500.00 per year

---

Appendix L calculated costs
for Initial Capital Outlay Cost for a 75,000 SF, Tier IIIc facility = $ 80,110,746.00

Total Annual Operations Cost as a percentage of initial capital cost =
$10,702,500 / $ 80,110,746 = 13.36% of initial capital cost

Of which the Facility Operations and Maintenance cost = $ 1,293,000 / $ 80,110,746
= 1.61%

Subtract from total Annual Operations of 13.36% = 11.75% is the cost of Program Operations per year, as a percentage of initial capital cost of the facility.

Thus for Tier III facilities use Program Operations Cost per year = 11.75% of initial capital cost.

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

DRAFT

Appendix L

Unit Capital Costs

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

Appendix L 1 - Unit Capital Costs Summary

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

Appendix L 2 – Details for Unit Capital Costs

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

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

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

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

Appendix L1

Unit Capital Costs Summary

Initial Capital Requirements, Annual Facility Operations/Facility Maintenance (OFMC) Requirements and Annual Facility Program Operations (OLES) Requirements

Facility Type Number	Facility Type	Enclosed Area Sq. Foot	Initial Capital Outlay Cost Ten years 2007 - 2017 Requirement by Facility Type	Expenditure 2011-2051 for 40 year building life Annual OFMC Facility Operations and Facility Maintenance Requirement	Expenditure 2011-2051 for 40 year building life Annual OLES Facility Program Operations Requirements
	Based on specific needs at specific locations to meet law enforcement functions projected for year 2017	Based on Specific needs to meet specific law enforcement functions projected for year 2017	Refer to Initial Capital Cost Details in Appendix L, Column L	Based on actual OFMC data Refer to Facility Operations and Maintenance details in Appendix J Facility O & M Costs and Facility O & M Costs Analysis Tier I $22.93 / SF Tiers II and III $17.24 / SF All annual costs are based on year 2011.	Based on percentage of initial Capital Cost of facility. Tier I = 17.67% Tier II = 8.68% Tier III = 11.75% Refer to Program Operations details in Appendix K. All annual costs are based on year 2011.
			Unit Cost	Unit Cost	Unit Cost
1	Tier I c Total of 130	5000	$ 8,879,891	$ 114,650	$ 1,453,993
2	Tier I d Total of 8	5875	$ 9,930,403	$ 134,714	$ 1,626,064
3	Tier I e Total of 2	6300	$ 11,302,512	$ 144,459	$ 1,850,673
4	Tier I f Total of 20	4300	$ 8,045,503	$ 98,599	$ 1,317,371
5	Tier I g Total of 7	4000	$ 7,805,569	$ 91,720	$ 1,278,084
	Total Tier I 167 Replacement Facilities		Total Initial Capital Cost over the 10 year transition	Total Facility O & M Costs over the 40 year building life	Total Program Operations Cost over the 40 year building life
			$ 1,471,983,131	$ 755,406,000	$ 9,640,899,040
			Unit Cost	Unit Cost	Unit Cost
6	Tier II c Total of 25	75,000	$ 73,999,654	$ 1,293,000	$ 6,423,170
7	Tier II h Total of 19	68,000	$ 65,552,153	$ 1,172,320	$ 5,689,927
8	Tier II i Total of 3	60,000	$ 57,277,237	$ 1,034,400	$ 4,971,664
9	Tier II j Total of 14	50,000	$ 48,151,907	$ 862,000	$ 4,179,586
10	Tier II k Total of 13	84,000	$ 83,923,851	$ 1,448,160	$ 7,284,590
11	Tier II l Total of 5	25,000	$ 24,761,383	$ 431,000	$ 2,149,288
	Total Tier II 80 Replacement Facilities		Total Initial Capital Cost over the 10 year transition	Total Facility O & M Costs over the 40 year building life	Total Program Operations Cost over the 40 year building life
			$ 5,272,299,005	$ 3,681,774,400	$ 18,159,453,560
			Unit Cost	Unit Cost	Unit Cost
12	Tier III c Total of 11	75,000	$ 80,110,746	$ 1,293,000	$ 9,413,013
13	Tier III f Total of 2	80,000	$ 85,220,989	$ 1,379,200	$ 10,013,466
14	Tier III g Total of 3	60,000	$ 62,168,903	$ 1,034,400	$ 7,304,846
	Total Tier III 16 Replacement Facilities		Total Initial Capital Cost over the 10 year transition	Total Facility O & M Costs over the 40 year building life	Total Program Operations Cost over the 40 year building life
			$ 1,238,166,889	$ 803,384,000	$ 5,819,384,520

Initial Capital Requirement for a Total of Tier I, Tier II and Tier III for 265 planned replacement facilities is noted above.
Additionally Capacity Upgrade CU from 10 beds up to 199 beds at 15 existing facilities at $31, 050 per bed is needed.
In addition to the initial capital requirements, Deferred Maintenance costs of $ 223,958,912, Appendix M,
for existing 76 facilities are needed, phased out over 10 years from 2007 to 2017

Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L
Facility Type Number	Facility Type	Enclosed Area Sq. Feet	Employees at Facility	Housing Provided for Employees	Initial Capital Cost for Housing Units associated with Facility Type	Construction Capital Outlay Ten years 2007 - 2017 Initial Capital Cost Industry Standard Requests for Facility Type	Extraordinary Soft Costs Contractor's Cost for Liability Insurance Litigation in Tribal Courts	Extraordinary Soft Costs Contractor's Cost for Local Tribal Taxes	Extraordinary Soft Costs Contractor's Cost for Checks and Balances Accountability and Federal Documentation	Extraordinary Soft Costs In-House Government Cost to provide Project Management	Initial Capital Cost requirement for Individual Type of Replacement Facility
	Based on specific needs at specific locations to meet law enforcement functions projected for year 2017	Based on Specific needs to meet specific law enforcement functions projected for year 2017	Based on Appendix K Program Operations Cost Analysis Use Positions from Tier I - c Tier II - c Tier III - c	Based on BIA Historical Data Housing for 20% of employees for each Type of Facility at Tier I, Tier II and Tier III	Based on BIA Historical Data 1260 SF - 2 Bdroom w/garage in semi remote location $283.00/SF Does not include cost for land	Based on R. S. Means Costs Includes Hard and Soft Costs, 5 to 7 acres of site development costs, Furniture, Fixt and Equip cost to begin operation, LEEDs Costs, Escalation to mid point of construction year 2011, and construction contingencies. Does not include cost for land Refer to details in Appendix I	Based on BIA historical experience Liabilities and Obligations based on litigation in Tribal Courts 2.75% of Initial Capital Cost for Industry Standards Column G	Based on BIA historical experience 4.5% of Initial Capital Cost for Industry Standards Column G	Based on BIA historical experience 1.5% of Initial Capital Cost for Industry Standards Column G	Based on BIA historical experience 5.5% of Initial Capital Cost for Industry Standards Column G	Total of Columns F, G, H, I, J, and K Transfer Initial Capital by Type of Facility to Appendix L - Unit Costs for initial capital, Facility O & M and Prog Operations
1	Tier I c Total of 150	5000	22	4	$ 1,416,240	$ 6,522,736	$ 179,650	$ 293,973	$ 97,991	$ 339,300	$ 8,579,891
2	Tier I d Total of 8	5875	26	5	$ 1,770,300	$ 7,142,222	$ 196,644	$ 321,804	$ 107,135	$ 392,828	$ 9,930,403
3	Tier I e Total of 2	6300	28	6	$ 2,124,360	$ 8,033,393	$ 220,918	$ 361,503	$ 120,501	$ 441,837	$ 11,302,512
4	Tier I f Total of 20	4300	19	4	$ 1,416,240	$ 5,802,418	$ 159,566	$ 261,109	$ 87,036	$ 319,133	$ 8,045,503
5	Tier I g Total of 6	4000	18	4	$ 1,416,240	$ 5,592,411	$ 153,791	$ 251,658	$ 83,886	$ 307,583	$ 7,805,569
	Total Tier I = 167 facilities										
6	Tier II c Total of 25	75,000	102	20	$ 7,081,200	$ 58,571,951	$ 1,610,729	$ 2,635,738	$ 878,579	$ 3,221,457	$ 73,999,654
7	Tier II h Total of 19	68,000	92	18	$ 6,373,080	$ 51,797,876	$ 1,424,442	$ 2,330,904	$ 776,968	$ 2,848,883	$ 65,552,153
8	Tier II i Total of 3	60,000	82	16	$ 5,664,960	$ 45,174,859	$ 1,242,309	$ 2,032,869	$ 677,623	$ 2,484,617	$ 57,277,237
9	Tier II j Total of 34	50,000	68	14	$ 4,956,840	$ 37,807,498	$ 1,039,706	$ 1,701,337	$ 567,112	$ 2,079,412	$ 48,151,907
10	Tier II k Total of 13	84,000	114	23	$ 8,143,389	$ 66,328,639	$ 1,824,038	$ 2,984,789	$ 994,930	$ 3,648,073	$ 83,923,851
11	Tier II l Total of 5	25,000	34	7	$ 2,478,420	$ 19,303,688	$ 516,351	$ 877,666	$ 292,555	$ 1,072,703	$ 24,761,383
	Total Tier II = 80 facilities										
12	Tier III c Total of 11	75,000	142	28	$ 9,913,680	$ 63,441,635	$ 1,689,645	$ 2,764,873	$ 921,624	$ 3,379,290	$ 80,110,746
13	Tier III f Total of 2	80,000	161	32	$ 11,229,920	$ 64,674,896	$ 1,778,560	$ 2,910,378	$ 970,123	$ 3,557,119	$ 85,220,989
14	Tier III g Total of 3	60,000	114	23	$ 8,143,380	$ 47,287,110	$ 1,300,396	$ 2,127,930	$ 709,307	$ 2,600,791	$ 62,168,903
	Total Tier III = 16 facilities										

Initial Capital Requirement for a Total of Tier I, Tier II and Tier III for 263 replacement facilities is noted above.
Additionally Capacity Upgrade CU from 10 beds up to 199 beds at 15 existing facilities at $31, 950 per bed is needed.

Appendix M

Deferred Repairs and Maintenance Costs

Existing facilities need to stay functional, while the new Capital Cost Replacement Facilities program is underway between the year 2007 and year 2017, Deferred Repairs and Maintenance need to be undertaken during this transition period.
Detailed Repairs and Maintenance Costs have been calculated by 1) Observing deficiencies during actual site visits and calculating costs, 2) Updating FMIS records by site personnel through training by BIA, 3) Extrapolating costs using the database created and validating telephone calls for non visited sites.

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

Appendix M1 – Deferred Repairs and Maintenance Costs – Inventoried Facilities
This appendix provides the Deferred Repairs and Maintenance Costs for Inventoried Facilities. Through a formal acceptance process, these facilities have been included as BIA inventory facilities. These facilities include Tribal, Self Governance, PL 638 and BIA facilities.

Appendix M2 – Deferred Repairs and Maintenance Costs – Non-Inventoried Facilities
This appendix provides the Deferred Repairs and Maintenance for Non - Inventoried Facilities. These facilities have not been included as BIA inventory facilities. These facilities include Tribal, Self Governance, and PL 638 facilities.

Appendix M3 – Deferred Repairs and Maintenance Costs Details for Existing Facilities
This appendix provides detailed cost calculations for the deferred repairs and maintenance of existing facilities that were visited.

Total Deferred Repairs and Maintenance Costs

Appendix M1 – Inventoried Facilities	**$ 178, 884, 952**
Appendix M2 – Non-Inventoried Facilities	**$ 45,073, 960**
Total	**$ 223,958,912**

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

Appendix M 1 - Deferred Repairs and Maintenance Co r Inventory Facilities including Tribal and BIA facilities

FMIS Run Date: 01-May-2007

BIA/OFMC Detention Facilities -
FMIS Deferred Maintenance - Deficiencies
As of: 01-May-2007

BIA and Tribal

BIA	38
Tribal	5
Total	43

	Structure Count	Deferred Maint
Totals	43	$178,884,952

	Facility												
	Location Number	Structure Number	Structure Status	Structure Use	Region	Location	Age	Owner	Gross SqFt	Funded SqFt	Deferred Maint (Open,Proposed, Committed, Funded)	
1	A01-02	2105	Occupied	Detention Center,	Great Pl	Cheyenne River Detention Cente	15	BIA	39,131	32,288	$13,914,110	*
3	A04-13	221	Occupied	Law Enforcement	Great Pl	Mandaree Law Enforcement Cen	53	BIA	5,183	3,475	$1,071,280	*
4	A04-14	409	Occupied	Law Enforcement	Great Pl	White Shield Law Enforcement C	70	BIA	2,360	2,156	$1,931,670	
5	A05-02	106	Occupied	Detention Center,	Great Pl	Fort Totten Law Enforcement Ce	40	BIA	7,762	6,159	$2,960,033	
6	A06-28	354	Occupied	Detention Center,	Great Pl	Medicine Root Detention Center	29	BIA	10,608	8,754	$2,223,120	
7	A06-28	377	Occupied	Law Enforcement	Great Pl	Medicine Root Detention Center	12	BIA	25,024	17,934	$928,777	
8	A06-29	976	Occupied	Law Enforcement	Great Pl	Loneman Law Enforcement	27	BIA	2,400	2,316	$845,060	
9	A06-30	663	Occupied	Law Enforcement	Great Pl	Porcupine Law Enforcement Cen	27	BIA	2,400	2,325	$612,701	
10	A06-31	552	Occupied	Law Enforcement	Great Pl	Wamblee Law Enforcement Cent	29	BIA	2,400	2,539	$1,162,837	
11	A06-32	168	Occupied	Detention Center,	Great Pl	Pine Ridge Detention Center	27	BIA	11,734	8,720	$21,324,548	*
14	A07-14	140	Occupied	Detention Center,	Great Pl	Rosebud Detention Center	23	BIA	15,212	13,194	$3,057,255	
15	A10-02	51	Occupied	Detention Center,	Great Pl	Standing Rock Detention Center	21	BIA	18,254	17,594	$15,088,486	*
16	A11-13	84	Occupied	Detention Center,	Great Pl	Turtle Mountain Detention Cente	48	BIA	13,197	11,603	$11,468,086	*
17	A13-02	2	Occupied	Detention Center,	Great Pl	Omaha Tribal Police Department	20	BIA	11,678	10,730	$15,926,106	*
19	B08-06	100	Occupied	Detention Center,	Southern	Sac & Fox Juvenile Detention Ce	11	Tribal	53,192	45,667	$276,855	
20	C51-02	126	Occupied	Detention Center,	Rocky M	Blackfeet Detention Center	37	BIA	9,417	8,487	$2,505,853	
21	C52-02	I-1	Occupied	Detention Center,	Rocky M	Crow Law Enforcement Center	34	BIA	7,231	6,369	$2,621,047	

Appendix M 1 - Deferred Repairs and Maintenance Co ' Inventory Facilities including Tribal and BIA facilities

FMIS Run Date: 01-May-2007

BIA/OFMC Detention Facilities -
FMIS Deferred Maintenance - Deficiencies
As of: 01-May-2007

BIA and Tribal

BIA	38
Tribal	5
Total	43

	Structure Count	Deferred Maint
Totals	43	$178,884,952

	Facility											
	Location Number	Structure Number	Structure Status	Structure Use	Region	Location	Age	Owner	Gross SqFt	Funded SqFt	Deferred Maint (Open,Proposed, Committed, Funded)	
22	C55-13	516	Occupied	Detention Center,	Rocky M	Fort Belknap Detention Center	34	BIA	7,821	7,331	$1,927,996	*
23	C56-02	69	Occupied	Detention Center,	Rocky M	Fort Peck Detention Center	23	BIA	10,842	9,139	$921,130	*
24	C56-02	85	Occupied	Detention Center,	Rocky M	Fort Peck Detention Center	14	BIA	13,902	11,793	$53,160	
26	C57-13	119	Occupied	Law Enforcement	Rocky M	Northern Cheyenne Detention Ce	5	BIA	1,128	1,094	$57,102	*
27	C57-13	120	Occupied	Detention Center,	Rocky M	Northern Cheyenne Detention Ce	44	BIA	8,371	6,839	$3,418,021	
29	C58-02	109	Occupied	Detention Center,	Rocky M	Wind River Adult Detention Cente	22	BIA	11,443	10,161	$5,028,194	
30	F52-13	11	Occupied	Detention Center,	Midwest	Red Lake Detention Center	31	BIA	5,280	4,244	$47,649	
31	F52-13	S2004-1	Occupied	Detention Center,	Midwest	Red Lake Detention Center	4	Tribal	47,460	41,371	$91,224	
33	F53-32	720	Occupied	Law Enforcement	Midwest	Nett Lake Law Enforcement Cent	30	BIA	4,647	4,217	$583,413	
34	F58-08	1	Occupied	Detention Center,	Midwest	Menominee Tribal Detention Cen	23	BIA	17,948	17,304	$3,872,395	
36	H52-32	84	Occupied	Detention Center,	Western	White Mountain Apache Departm	20	BIA	22,246	19,630	$3,479,649	
37	H54-02	64	Occupied	Detention Center,	Western	Tohono O'odham Detention Facil	20	BIA	8,867	6,540	$2,208,619	
43	H58-13	86	Occupied	Detention Center,	Western	San Carlos Department of Correc	30	BIA	20,100	17,193	$16,049,068	*
45	H64-13	305	Occupied	Detention Center,	Western	Duck Valley Adult Detention Faci	20	BIA	8,427	14,026	$4,102,448	*
47	H65-03	700	Occupied	Detention Center,	Western	Hopi Agency Detention Center	26	BIA	21,790	17,938	$3,163,652	
48	H68-11	1010	Occupied	Detention Center,	Western	Supai Jail	41	BIA	1,363	1,081	$1,213,464	*
49	H68-13	820	Occupied	Detention Center,	Western	Truxton Canyon Agency Detentio	21	BIA	10,358	9,428	$1,510,670	*

FMIS Run Date: 01-May-2007

BIA/OFMC Detention Facilities -
FMIS Deferred Maintenance - Deficiencies
As of: 01-May-2007

BIA and Tribal

BIA	38
Tribal	5
Total	43

	Structure Count	Deferred Maint
Totals	43	$178,884,952

	Facility											
	Location Number	Structure Number	Structure Status	Structure Use	Region	Location	Age	Owner	Gross SqFt	Funded SqFt	Deferred Maint (Open,Proposed, Committed, Funded)	
51	H69-02	T650T	Occupied	Law Enforcement	Western	Southern Paiute Law Enforcemer	27	Tribal	1,152	1,035	$362,544	*
52	M45-02	107	Occupied	Detention Center,	Southwe	Chief Ignacio Justice Center	7	BIA	44,646	64,918	$228,223	
54	N33-32	900	Occupied	Detention Center,	Navajo	Western Navajo Juvenile Correct	11	BIA	25,000	23,454	$1,894,259	
56	N35-32	1330	Occupied	Detention Center,	Navajo	Chinle Youth Corrections Center	7	BIA	29,153	25,890	$23,289,674	
58	P06-04	273	Occupied	Detention Center,	Northwe	Quinault Detention Center	21	BIA	6,150	6,142	$1,374,670	
59	P09-02	1030	Occupied	Detention Center,	Northwe	Warm Springs Detention Center	21	BIA	16,758	16,263	$4,573,491	
60	P10-32	ES2004	Occupied	Detention Center,	Northwe	Nisqually Indian Tribal Jail	2	Tribal	7,375	7,246	$733,849	
61	P12-02	249	Occupied	Detention Center,	Northwe	Spokane Law Enforcement Cent	41	BIA	4,892	4,309	$757,296	
62	S78-02	ES2004	Occupied	Detention Center,	Eastern	Choctaw Corrections Center	2	Tribal	67,485	58,438	$15,268	

* Denotes those facilities that did not have a site review. Used multiple of 14.00 based on median multiple for those facilities that did receive a site review.

Appendix M 2
Deferred Repairs and Maintenance Cost
for
Tribal Facilities - Non-BIA Inventory

LE Facility #	Existing Non BIA Inventoried Justice Facilities Requiring Deferred Repairs and Maintenance	BIA Inventory Y or N	District	Location	Tribes Served	Year Constructed	Area in Square Feet	Deferred Repairs and Maintenance Cost
								$ 45,073,960
69	Lac Vieux Desert Police Department & Holding Facility	N	1	Watersmeet, MI	Lac Vieux Desert Band of Lake Superior Chippe	2000	5535	$ 996,300
98	Iowa Tribal Police Department & Holding facility	N	2	Perkins, OK	Iowa	1968	3450	$ 483,000
198	Acoma Tribal Police Department & Holding Facility	N	4	Acomita, NM	Pueblo of Acoma	2001	6750	$ 742,500
216	San Juan Pueblo Holding Facility	N	4	San Juan, NM	Pueblo of San Juan	2002	2640	$ 369,600
293	Fort Hall Police Department and Adult & Juvenile Detention	N	5	Fort Hall, ID	Shoshone-Bannock Tribe	1972	10750	$ 3,708,750
80	Saginaw - Chippewa Police Dept and Detention	N	1	Mt. Pleasant, MI	Saginaw - Chippewa Tribe	1984	5540	$ 775,600
10	Sisseton-Wahpeton Law Enforcement Center/Adult Detention	N	1	Agency Village, SD	Sisseton-Wahpeton Sioux	1974	10,108	$ 2,324,840
124	Colorado River Indian Tribes Extension of Detension	N	3	Parker, AZ	Colorado River Indian Tribes	1984	1,675	$ 184,250
127	Fort Mohave (Booking/Holding)	N	3	Fort Mohave, AZ	Mohave Tribe	1976	1,100	$ 165,000
197	Laguna Tribal Police Department & Detention	N	4	Laguna, NM	Pueblo of Laguna	1971	17,624	$ 2,643,600
199	Ramah Police Department & Adult Detention	N	4	Ramah, NM	Ramah Navajo	1972	20,520	$ 3,283,200
211	Taos Tribal Police Department & Adult Detention	N	4	Taos, NM	Pueblo of Taos	1987	1,520	$ 266,000
205	Jemez Tribal Police Department & Holding	N	4	Jemez Pueblo, NM	Pueblo of Jemez	1973	2150	$ 376,250
208	Isleta Tribal Tribal Police Department & Jail	N	4	Isleta, NM	Pueblo of Isleta	1977	1680	$ 294,000
201	Zuni Law Enforcement Center	N	4	Zuni, NM	Pueblo of Zuni	1970	1855	$ 324,625
245	Navajo Nation - Chinle Law Enforcement & Adult Detention	N	4	Chinle, AZ	Navajo Nation	1960	6,780	$ 1,389,900
235	Navajo Nation - Crownpoint Law Enfor & Adult Detention	N	4	Crownpoint, NM	Navajo Nation	1975	12,655	$ 3,163,750
228	Navajo Nation - Shiprock Police Department & Adult Holding	N	4	Shiprock, NM	Navajo Nation	1958	7,500	$ 1,425,000
234	Navajo Nation - Tohatchi Youth Detention & Police Sub-station	N	4	Tohatchi, NM	Navajo Nation	1970	4344	$ 847,080
223	Navajo Nation - Window Rock - Criminal Investigations	N	4	Window Rock, AZ	Navajo Nation	1978	1680	$ 294,000
220	Navajo Nation-Window Rock - Adult Detention & Police Department	N	4	Window Rock, AZ	Navajo Nation	1959	17680	$ 4,950,400
193	Southern Ute - Adult Detention & Police Departmentment	N	4	Ignacio, CO	Southern Ute and Regional Contracts	1999	16140	$ 2,421,000
274	White Buffalo Youth Detention Center	N	5	Browning, MT	Blackfeet Tribe	1977	2790	$ 613,800
22	Oglala Sioux Tribe's Ki Yuksa Otipi Reintegration Center	N	1	Kyle, SD	Oglala Sioux Tribe	1995	25024	$ 2,752,640
277	Rocky Boy Police Department & Detention Center	N	5	Box Elder, MT	Chippewa Cree Tribe	2001	6850	$ 1,507,000
305b	Colville Juvenile Detention	N	5	Nespelem, WA	Confederated Colville Tribes	1979	3564	$ 320,760
125	Colorado River Indian Tribe Police Department & Adult Detention	N	3	Parker, AZ	Colorado River Indian Tribes	1991	6,018	$ 1,233,690
332a	Metlakatla Police Department & Adult Detention	N	5	Metlakatla, AK	Metlakatla Indian Community	1960	6450	$ 1,161,000
332b	Metlakatla Juvenile Detention Center	N	5	Metlakatla, AK	Metlakatla Indian Community	1960	incl	
162	Pascua Yaqui Police Department & Holding	N	3	Tucson, AZ	Pascua Yaqui Nation	1970	5470	$ 984,600
149	Ak-Chin Tribal Police Department/Detention	N	3	Maricopa, AZ	Ak-Chin Indian Community of Papago Indians	1981	16,617	$ 3,738,825
150	Ak-Chin Tribal Police Department Detention Extension	N	3	Maricopa, AZ	Ak-Chin Indian Community of Papago Indians		2,300	$ 345,000
209	Sandia Tribal Police Department	N	4	Bernalillo, NM	Pueblo of Sandia	1968	4940	$ 988,000

Appendix M3

Deferred Repairs and Maintenance Cost Details for Existing Facilities

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

The Deferred Repairs and Maintenance Cost derived from this Appendix is used in Appendices M1 and M2.

DRAFT

Deferred Repairs and Maintenance Cost Details for Existing Facilities

Detailed Repairs and Maintenance Costs

Sites by OJS Districts	Appendix M3 Numeric Sequence
Great Plains District	
A. White Shield Law Enforcement Center-Fort Berthold, N.D. 58540	35
B. Kyle Law Enforcement Center (Adult)-Pine Ridge, S.D. 57752	15
C. Loneman(Oglala) Law Enforcement Center-Pine Ridge, S.D. 57770	20
D. Porcupine Law Enforcement Center-Pine Ridge, S.D. 57772	21
E. Wamblee Law Enforcement Center-Pine Ridge, S.D. 57577	32
F. Rosebud Detention Center-Rosebud, S.D. 57570	24
G. Fort Totten Detention Center-Spirit Lake, N.D. 58335	11
Rocky Mountain District	
A. Crow Law Enforcement Center-Crow Agency, Montana 59022	5
B. Fort Peck Law Enforcement Center-Poplar, Montana 59255	10
C. Northern Cheyenne Law Enforcement Center-Lamedeer, Mt. 59043	17
D. Wind River Detention Center-Fort Washakie, Wyoming 82514	36
E. Blackfeet Police Department-Browning, Montana 59417	1
F. Flathead Detention Center-Pablo, Montana 59855	7
Midwest District	
A. Nett Lake Law Enforcement Center-Nett Lake, Minnesota 55772	18
B. Keshena Law Enforcement Center-Keshena, Wisconsin 54135	14
Western District	
A. Fort Apache Detention Center-Whiteriver, Arizona 85941	8
B. Tohono O'odham Nation Detention Center-Sells, Arizona 85634	30
C. San Carlos Detention Center-San Carlos, Arizona 85550	25
D. Hopi Correction Center-Keams Canyon, Arizona 86034	12
E. Colorado River Tribal Detention Center-Parker, Arizona 85344	4
Navajo District	
A. Western Detention Center-Tuba City, Arizona 86045	34
B. Chinle Youth Corrections Center-Chinle, Arizona 86503	2
C. Kayenta Detention Center-Kayenta, Arizona 86033	13
D. Shiprock Adult Detention Center-Shiprock, N.M. 87420	26
E. Tohatchi Youth Detention Center-Tohatchi, N.M. 87325	29
F. Tuba City Detention Center-Tuba City, Arizona 86045	31
G. Window Rock Adult Corrections Center-Window Rock, Arizona 86515	37
H. Dilkon Detention Center-Dilkon, Arizona 86515	6
I. Chinle Adult Detention Center-Chinle, Arizona 86503	3

Deferred Repairs and Maintenance Cost Details for Existing Facilities

Northwest District

A. Warm Springs Detention Center-Warm Springs, Oregon 97761	33
B. Spokane Law Enforcement Center-Wellpinit, Washington 99040	27
C. Quinault Detention Center-Taholah, Washington 98587	23
D. Fort Hall Detention Center-Fort Hall, Idaho 83023	9
E. Puyallup Detention Center- Tacoma, Washington 98404	22
F. Yakama Police Department-Toppenish, Washington 98948	38
G. Nisqually Police Department-Olympia, Washington 98513	19

Southwest District

A. Laguna Tribal Detention Facility-Laguna, New Mexico 87026	16
B. Taos Tribal Detention Center-Taos, New Mexico 87571	28

DRAFT

Repairs and Deferred Maintenence Costs
Blackfeet Police Department
Browning, Montana

September 22, 2006

	Element					
			Matl, Labor, Equip			
Project Summary	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 2,505,853.34
Total Facility Soft Costs - Items 1 through Item 10						$ 991,742.56
1. Reserve Fund - 10% of Building Hard Cost						$ 151,411.08
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 121,128.86
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 105,987.75
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 90,846.65
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 22,711.66

Browning, Montana

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		**$ 272,539.94**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		**$ 37,852.77**
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		**$ 45,423.32**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			**$ 30,282.22**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 90,846.65**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 7,570.55**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 7,570.55**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 7,570.55**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 1,514,110.78**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 293,053.70**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 1,221,057.08**
Including Markup, from next page			
Special Structures			

Repairs and Deferred Maintenence Costs
Blackfeet Police Department
Browning, Montana

September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,221,057.08
	Demolition of Existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	5423	SF	$ 22.58	$ 122,424.23	$ 18,363.63	$ 140,787.86
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	3,000	SF	$ 8.94	$ 26,820.00	$ 4,023.00	$ 30,843.00
B2030	Exterior Doors	Metal Doors	5,423	SF	$ 0.88	$ 4,772.24	$ 715.84	$ 5,488.08
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Repairs and Deferred Maintenence Costs
Blackfeet Police Department
Browning, Montana

September 22, 2006

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	Matl,Labor,Equip MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	500	SF	$ 2.16	$ 1,080.00	$ 162.00	$ 1,242.00
C1020	Interior Doors	Hollow Metal Fire Doors	500	SF	$ 0.86	$ 430.00	$ 64.50	$ 494.50
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,123	SF	$ 4.32	$ 9,171.36	$ 1,375.70	$ 10,547.06
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	3,800	SF	$ 6.91	$ 26,265.60	$ 3,939.84	$ 30,205.44
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	5,423	SF	$ 32.34	$ 175,379.82	$ 26,306.97	$ 201,686.79
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	5,423	SF	$ 5.39	$ 29,229.97	$ 4,384.50	$ 33,614.47
D2040	Rain Water Drainage	Roof Drains	5,423	SF	$ 0.51	$ 2,765.73	$ 414.86	$ 3,180.59
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	5423	SF	$ 29.61	$ 160,575.03	$ 24,086.25	$ 184,661.28
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	5,423	SF	$ 3.43	$ 18,600.89	$ 2,790.13	$ 21,391.02
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	5,423	SF	$ 18.27	$ 99,078.21	$ 14,861.73	$ 113,939.94
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	5,423	SF	$ 8.86	$ 48,047.78	$ 7,207.17	$ 55,254.95
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	5,423	SF	$ 47.32	$ 256,616.36	$ 38,492.45	$ 295,108.81
E1030	ADA Requirements	ADA Requirements for Staff and inmates	5,423	SF	$ 9.00	$ 48,807.00	$ 7,321.05	$ 56,128.05
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 12.79	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	5,423	SF	$ 5.85	$ 31,724.55	$ 4,758.68	$ 36,483.23

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	M,E,Cost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 23,289,674.03
Total Facility Soft Costs - Items 1 through Item 10						$ 9,217,363.44
1. Reserve Fund - 10% of Building Hard Cost						$ 1,407,231.06
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 1,125,784.85
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 985,061.74
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 844,338.64
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 211,084.66
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	18.00%	$	2,533,015.91
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	2.5%	$	351,807.76
Site Investigations	2.50%		
6c. Assistance prior to Construction	3.00%	$	422,169.32
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	281,446.21
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	844,338.64
Management Assistance during Construction - 6%			
8. M & I Government		$	70,361.55
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	70,361.55
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	70,361.55
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	14,072,310.59
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	2,723,673.02
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	11,348,637.58
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 11,348,637.58**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	28,030	SF	$ 2.48	$ 69,514.40	$ 10,427.16	$ 79,941.56
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	28,030	SF	$ 101.75	$ 2,852,052.50	$ 427,807.88	$ 3,279,860.38
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	28,030	SF	$ 33.00	$ 924,990.00	$ 138,748.50	$ 1,063,738.50
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	28,030	SF	$ 173.08	$ 4,851,292.25	$ 727,693.84	$ 5,578,986.09
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	100	SF	$ 315.00	$ 31,500.00	$ 4,725.00	$ 36,225.00
B2030	Exterior Doors	Metal Doors	650	SF	$ 16.88	$ 10,972.00	$ 1,645.80	$ 12,617.80
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	28,030	SF	$ 3.57	$ 100,067.10	$ 15,010.07	$ 115,077.17
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.81	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	4,000	SF	$ 2.41	$ 9,640.00	$ 1,446.00	$ 11,086.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	650	SF	$ 32.34	$ 27,489.00	$ 4,123.35	$ 31,612.35
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	28,030	SF	$ 9.63	$ 269,788.75	$ 40,468.31	$ 310,257.06
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	2,000	SF	$ 29.61	$ 59,220.00	$ 8,883.00	$ 68,103.00
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1000 Amp Service, Panelboard, Feaders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	750	SF	$ 18.27	$ 13,702.50	$ 2,055.38	$ 15,757.88
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	1,100	SF	$ 8.86	$ 9,746.00	$ 1,461.90	$ 11,207.90
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.85	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	12,300	SF	$ 47.32	$ 582,036.00	$ 87,305.40	$ 669,341.40
E1030	ADA Requirements	ADA Requirements for Staff and inmates	2,000	SF	$ 9.00	$ 18,000.00	$ 2,700.00	$ 20,700.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	3,000	SF	$ 12.79	$ 38,370.00	$ 5,755.50	$ 44,125.50
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 4,906,517.43
Total Facility Soft Costs - Items 1 through Item 10						$ 1,941,654.33
1. Reserve Fund - 10% of Building Hard Cost						$ 296,465.31
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 237,173.05
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 207,526.42
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 177,879.79
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 44,469.95

6. Pre-Construction Services		
6a. Design at Office	18.00%	$ 533,639.36
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	2.5%	$ 74,115.58
Site Investigations	2.50%	
6c. Assistance prior to Construction	3.00%	$ 88,939.89
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Site Preparation, Demolition and Special Construction		$ 59,293.26
Site Preparation - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 177,879.79
Management Assistance during Construction - 6%		
8. M & I Government		$ 14,823.32
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 14,823.32
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 14,823.32
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 2,964,663.10
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 573,805.76
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 2,390,857.34
Including Markup, from next page		
Special Structures		

					Matl.Labor.Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 2,390,857.34
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	5,515	SF	$ 46.25	$ 255,068.75	$ 38,260.31	$ 293,329.06
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	5,515	SF	$ 15.00	$ 82,725.00	$ 12,408.75	$ 95,133.75
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	5,515	SF	$ 82.78	$ 456,504.13	$ 68,475.62	$ 524,979.74
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	80	SF	$ 315.00	$ 25,200.00	$ 3,780.00	$ 28,980.00
B2030	Exterior Doors	Metal Doors	100	SF	$ 64.88	$ 6,488.00	$ 973.20	$ 7,461.20
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	5,515	SF	$ 7.05	$ 38,880.75	$ 5,832.11	$ 44,712.86
B3010	Roof Covering	Elastomeric Membrane	5,515	SF	$ 3.57	$ 19,688.55	$ 2,953.28	$ 22,641.83
B3020	Roof Openings	Roof Hatches	5,515	SF	$ 0.01	$ 55.15	$ 8.27	$ 63.42

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	675	SF	$ 43.20	$ 29,160.00	$ 4,374.00	$ 33,534.00
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,600	SF	$ 4.32	$ 11,232.00	$ 1,684.80	$ 12,916.80
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	5,515	SF	$ 6.91	$ 38,119.65	$ 5,717.95	$ 43,837.63
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,600	SF	$ 2.41	$ 6,266.00	$ 939.90	$ 7,205.90
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	5,515	SF	$ 32.34	$ 178,355.10	$ 26,753.27	$ 205,108.37
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	5,515	SF	$ 29.61	$ 163,299.15	$ 24,494.87	$ 187,794.02
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	5,515	SF	$ 9.09	$ 50,103.78	$ 7,515.57	$ 57,619.34
D5010	Elect Service - Distrib	400 Amp Service, Panelboard, Feeders	5,515	SF	$ 7.35	$ 40,535.25	$ 6,080.29	$ 46,615.54
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	1,900	SF	$ 18.27	$ 34,713.00	$ 5,206.95	$ 39,919.95
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	5,515	SF	$ 8.86	$ 48,862.90	$ 7,329.44	$ 56,192.34
D5090	Emergency Backup	Emergency Generator and Transfer Switch	1,650	SF	$ 10.65	$ 17,572.50	$ 2,635.88	$ 20,208.38

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	5,335	SF	$ 47.32	$ 252,452.20	$ 37,867.83	$ 290,320.03
E1030	ADA Requirements	ADA Requirements for Staff and inmates	5,515	SF	$ 9.00	$ 49,635.00	$ 7,445.25	$ 57,080.25
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	1,250	SF	$ 12.79	$ 15,987.50	$ 2,398.13	$ 18,385.63
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	5,515	SF	$ 46.80	$ 258,102.00	$ 38,715.30	$ 296,817.30

	Element					
			Matl, Labor, Equip			
Project Summary	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 1,323,355.86
Total Facility Soft Costs - Items 1 through Item 10						$ 523,745.07
1. Reserve Fund - 10% of Building Hard Cost						$ 79,961.08
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 63,968.86
From August 2006 to August 2011 - Mid-point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 55,972.76
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 47,976.65
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 11,994.16
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

8. Pre-Construction Services			
8a. Design at Office	**18.00%**		**$ 143,929.94**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
8b. Site Investigations	**2.5%**		**$ 19,990.27**
Site Investigations	2.50%		
8c. Assistance prior to Construction	**3.00%**		**$ 23,988.32**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
8d. Site Preparation, Demolition and Special Construction			**$ 15,992.22**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 47,976.65**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 3,998.05**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 3,998.05**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 3,998.05**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 799,610.79**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 154,753.38**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 644,847.41**
Including Markup, from next page			
Special Structures			

Repairs and Deferred Maintenance Costs
Colorado River Tribal Detention Center
Parker, Arizona

September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 644,847.41
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	6,018	SF	$ 3.57	$ 21,484.26	$ 3,222.64	$ 24,706.90
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	100	SF	$ 10.86	$ 1,086.00	$ 162.90	$ 1,248.90
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	6,018	SF	$ 4.32	$ 25,997.76	$ 3,899.66	$ 29,897.42
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	2,000	SF	$ 6.91	$ 13,824.00	$ 2,073.60	$ 15,897.60
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,000	SF	$ 4.82	$ 9,640.00	$ 1,446.00	$ 11,086.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	1,500	SF	$ 32.34	$ 48,510.00	$ 7,276.50	$ 55,786.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	2,000	SF	$ 29.61	$ 59,220.00	$ 8,883.00	$ 68,103.00
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	6,018	SF	$ 3.95	$ 23,771.10	$ 3,565.67	$ 27,336.77
D5010	Elect Service - Distrib	600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	1,000	SF	$ 18.27	$ 18,270.00	$ 2,740.50	$ 21,010.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.85	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	6,018	SF	$ 47.32	$ 284,771.76	$ 42,715.76	$ 327,487.52
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	6,018	SF	$ 9.00	$ 54,162.00	$ 8,124.30	$ 62,286.30
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement		SF		$ -	$ -	$ -

	Element					
	Quantity	Unit	Matl, Labor, Equip Rate	Matl, Labor, Equip M.ECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 2,621,047.29
Total Facility Soft Costs - Items 1 through Item 10						$ 1,037,332.91
1. Reserve Fund - 10% of Building Hard Cost						$ 158,371.44
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 126,697.15
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 110,860.01
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 95,022.86
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 23,755.72

5. Pre-Construction Services		
5a. Design at Office	**18.00%**	**$ 285,066.59**
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
5b. Site Investigations	**2.5%**	**$ 39,592.86**
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	**$ 47,511.43**
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Site Preparation, Demolition and Special Construction		**$ 31,674.29**
Site Preparation - 2% of Building Hard Cost		
7. Construction Management Assistance		**$ 95,022.86**
Management Assistance during Construction - 6%		
9. M & I Government		**$ 7,918.57**
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		**$ 7,918.57**
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		**$ 7,918.57**
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		**$ 1,583,714.37**
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		**$ 306,525.36**
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		**$ 1,277,189.01**
Including Markup, from next page		
Special Structures		

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,277,189.01
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	3,000	SF	$ 22.58	$ 67,725.00	$ 10,158.75	$ 77,883.75
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	20	SF	$ 315.00	$ 6,300.00	$ 945.00	$ 7,245.00
B2030	Exterior Doors	Metal Doors	6,936	SF	$ 0.88	$ 6,103.68	$ 915.55	$ 7,019.23
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	3,000	SF	$ 3.57	$ 10,710.00	$ 1,606.50	$ 12,316.50
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	6,936	SF	$ 0.85	$ 5,564.96	$ 894.74	$ 6,859.70
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	6,936	SF	$ 4.32	$ 29,963.52	$ 4,494.53	$ 34,458.05
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	3,000	SF	$ 6.91	$ 20,736.00	$ 3,110.40	$ 23,846.40
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	3,000	SF	$ 2.41	$ 7,230.00	$ 1,084.50	$ 8,314.50
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	6,936	SF	$ 32.34	$ 224,310.24	$ 33,646.54	$ 257,956.78
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	6,936	SF	$ 5.39	$ 37,385.04	$ 5,607.76	$ 42,992.80
D2040	Rain Water Drainage	Roof Drains	3,000	SF	$ 0.51	$ 1,530.00	$ 229.50	$ 1,759.50
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	6,936	SF	$ 29.61	$ 205,374.96	$ 30,806.24	$ 236,181.20
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	1,200	SF	$ 3.43	$ 4,116.00	$ 617.40	$ 4,733.40
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	6,936	SF	$ 18.27	$ 126,720.72	$ 19,008.11	$ 145,728.83
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	3,000	SF	$ 8.85	$ 26,580.00	$ 3,987.00	$ 30,567.00
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	6,936	SF	$ 47.32	$ 328,211.52	$ 49,231.73	$ 377,443.25
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	250	SF	$ 6.55	$ 1,637.50	$ 245.63	$ 1,883.13
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 623,374.78
Total Facility Soft Costs - Items 1 through Item 10						$ 246,713.28
1. Reserve Fund - 10% of Building Hard Cost						$ 37,656.15
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 30,132.92
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 26,366.31
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 22,599.69
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 5,649.92

8. Pre-Construction Services			
8a. Design at Office	**16.00%**	$	67,799.07
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
8b. Site Investigations	**2.5%**	$	9,416.54
Site Investigations	2.50%		
8c. Assistance prior to Construction	**3.00%**	$	11,299.85
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
8d. Site Preparation, Demolition and Special Construction		$	7,533.23
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	22,599.69
Management Assistance during Construction - 6%			
8. M & I Government		$	1,883.31
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	1,883.31
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	1,883.31
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	376,661.50
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	72,902.23
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	303,759.28
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 303,759.28
	Demolition of existing Work							
F1020		Demolition of existing	1,560	SF	$ 2.50	$ 3,900.00	$ 585.00	$ 4,485.00
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	150	SF	$ 30.00	$ 4,500.00	$ 675.00	$ 5,175.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	125	SF	$ 315.00	$ 39,375.00	$ 5,906.25	$ 45,281.25
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl Labor Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 5.81	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	0	SF	$ 32.34	$ -	$ -	$ -
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	1,560	SF	$ 11.85	$ 18,486.00	$ 2,772.90	$ 21,258.90
D5010	Elect Service - Distrib	200 Amp Service, Panelboard, Feeders	1,560	SF	$ 9.31	$ 14,523.60	$ 2,178.54	$ 16,702.14
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	250	SF	$ 18.27	$ 4,567.50	$ 685.13	$ 5,252.63
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	1,560	SF	$ 41.30	$ 64,428.00	$ 9,664.20	$ 74,092.20

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	2,120	SF	$ 47.32	$ 100,318.40	$ 15,047.76	$ 115,366.16
E1030	ADA Requirements	ADA Requirements for Staff and inmates	1,560	SF	$ 9.00	$ 14,040.00	$ 2,106.00	$ 16,146.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement		SF		$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 2,422,252.81
Total Facility Soft Costs - Items 1 through Item 10						$ 958,659.90
1. Reserve Fund - 10% of Building Hard Cost						$ 146,360.29
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 117,088.23
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 102,452.20
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 87,816.17
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 21,954.04

5. Pre-Construction Services			
5a. Design at Office	**18.00%**		**$ 263,448.52**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
5b. Site Investigations	**2.5%**		**$ 36,590.07**
Site Investigations	2.50%		
5c. Assistance prior to Construction	**3.00%**		**$ 43,908.09**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
5d. Site Preparation, Demolition and Special Construction			**$ 29,272.06**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 87,816.17**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 7,318.01**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 7,318.01**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 7,318.01**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 1,463,602.91**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 283,277.98**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 1,180,324.93**
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,180,324.93
	Demolition of Existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	5,000	SF	$ 22.58	$ 112,875.00	$ 16,931.25	$ 129,806.25
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	3,000	SF	$ 8.94	$ 26,820.00	$ 4,023.00	$ 30,843.00
B2030	Exterior Doors	Metal Doors	6,000	SF	$ 0.88	$ 5,280.00	$ 792.00	$ 6,072.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Repairs and Deferred Maintenence Costs
Flathead Detention Center
Pablo, Montana

September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	750	SF	$ 2.16	$ 1,620.00	$ 243.00	$ 1,863.00
C1020	Interior Doors	Hollow Metal Fire Doors	750	SF	$ 0.86	$ 645.00	$ 96.75	$ 741.75
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	3,500	SF	$ 4.32	$ 15,120.00	$ 2,268.00	$ 17,388.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	3,500	SF	$ 6.91	$ 24,192.00	$ 3,628.80	$ 27,820.80
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,000	SF	$ 2.41	$ 4,820.00	$ 723.00	$ 5,543.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	6,375	SF	$ 32.34	$ 206,167.50	$ 30,925.13	$ 237,092.63
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	6,375	SF	$ 5.39	$ 34,361.25	$ 5,154.19	$ 39,515.44
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.81	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	6,375	SF	$ 3.95	$ 25,181.25	$ 3,777.19	$ 28,958.44
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	6,375	SF	$ 18.27	$ 116,471.25	$ 17,470.69	$ 133,941.94
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	6,375	SF	$ 8.86	$ 56,482.50	$ 8,472.38	$ 64,954.88
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	6,375	SF	$ 47.32	$ 301,665.00	$ 45,249.75	$ 346,914.75
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	6,375	SF	$ 9.00	$ 57,375.00	$ 8,606.25	$ 65,981.25
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 12.79	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	6,375	SF	$ 5.85	$ 37,293.75	$ 5,594.06	$ 42,887.81

	Element					
			Matl, Labor, Equip			
Project Summary	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 3,479,648.57
Total Facility Soft Costs - Items 1 through Item 10						$ 1,377,141.88
1. Reserve Fund - 10% of Building Hard Cost						$ 210,250.67
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 168,200.53
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 147,175.47
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 126,150.40
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 31,537.60

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 378,451.20
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 52,562.67
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 63,075.20
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Site Preparation, Demolition and Special Construction		$ 42,050.13
Site Preparation - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 126,150.40
Management Assistance during Construction - 6%		
8. M & I Government		$ 10,512.53
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 10,512.53
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 10,512.53
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 2,102,506.89
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 406,936.78
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 1,695,569.91
Including Markup, from next page		
Special Structures		

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,695,559.91
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.56	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Mat\Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.18	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	15,478	SF	$ 6.91	$ 106,983.94	$ 16,047.59	$ 123,031.53
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,500	SF	$ 2.41	$ 6,025.00	$ 903.75	$ 6,928.75
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	7,500	SF	$ 32.34	$ 242,550.00	$ 36,382.50	$ 278,932.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	4,000	SF	$ 5.39	$ 21,560.00	$ 3,234.00	$ 24,794.00
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	15,478	SF	$ 29.61	$ 458,303.58	$ 68,745.54	$ 527,049.12
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	15,478	SF	$ 3.95	$ 61,136.10	$ 9,170.72	$ 70,306.82
D5010	Elect Service - Distrib	800 Amp Service, Panelboard, Feeders	8,000	SF	$ 3.43	$ 27,440.00	$ 4,116.00	$ 31,556.00
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	3,500	SF	$ 8.86	$ 31,010.00	$ 4,651.50	$ 35,661.50
D5090	Emergency Backup	Emergency Generator and Transfer Switch	8,000	SF	$ 5.65	$ 45,200.00	$ 6,780.00	$ 51,980.00

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	8,000	SF	$ 47.32	$ 378,560.00	$ 56,784.00	$ 435,344.00
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	7,500	SF	$ 9.00	$ 67,500.00	$ 10,125.00	$ 77,625.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	2,200	SF	$ 12.79	$ 28,138.00	$ 4,220.70	$ 32,358.70
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

Project Summary	Element					
	Quantity	Unit	Matl, Labor, Equip Rate	Matl, Labor, Equip MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 4,831,557.61
Total Facility Soft Costs - Items 1 through Item 10						$ 1,908,229.83
1. Reserve Fund - 10% of Building Hard Cost						$ 291,932.80
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 233,056.24
3. Construction Contingency - 7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 203,932.96
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 174,799.68
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 43,699.92

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 524,399.04
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 72,833.20
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 87,399.84
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 58,266.56
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 174,799.68
Management Assistance during Construction - 6%			
8. M & I Government			$ 14,566.64
One-Half percent of Building Hard Cost			
9. D & C - Government PC&S			$ 14,566.64
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 14,566.64
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 2,913,327.98
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 563,869.93
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 2,349,458.05
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 2,349,458.05
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	5,000	SF	$ 3.00	$ 15,000.00	$ 2,250.00	$ 17,250.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	50	SF	$ 315.00	$ 15,750.00	$ 2,362.50	$ 18,112.50
B2030	Exterior Doors	Metal Doors	100	SF	$ 48.88	$ 4,888.00	$ 733.20	$ 5,621.20
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	10,750	SF	$ 3.57	$ 38,377.50	$ 5,756.63	$ 44,134.13
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.18	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	5,000	SF	$ 0.86	$ 4,300.00	$ 645.00	$ 4,945.00
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	10,750	SF	$ 4.32	$ 46,440.00	$ 6,966.00	$ 53,406.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	10,750	SF	$ 6.91	$ 74,304.00	$ 11,145.60	$ 85,449.60
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	10,750	SF	$ 2.41	$ 25,907.50	$ 3,886.13	$ 29,793.63
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	10,750	SF	$ 32.34	$ 347,655.00	$ 52,148.25	$ 399,803.25
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	10,750	SF	$ 5.39	$ 57,942.50	$ 8,691.38	$ 66,633.88
D2040	Rain Water Drainage	Roof Drains	10,750	SF	$ 0.51	$ 5,482.50	$ 822.38	$ 6,304.88
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	10,750	SF	$ 29.61	$ 318,307.50	$ 47,746.13	$ 366,053.63
D4020	Fire Protection	Standpipe and Hose System	10,750	SF	$ 0.39	$ 4,192.50	$ 628.88	$ 4,821.38
D4030	Fire Protection	Sprinklers	10,750	SF	$ 3.95	$ 42,462.50	$ 6,369.38	$ 48,831.88
D5010	Elect Service - Distrib	1000 Amp Service, Panelboard, Feeders	10,750	SF	$ 3.43	$ 36,872.50	$ 5,530.88	$ 42,403.38
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	10,750	SF	$ 18.27	$ 196,402.50	$ 29,460.38	$ 225,862.88
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	10,750	SF	$ 8.86	$ 95,245.00	$ 14,286.75	$ 109,531.75
D5090	Emergency Backup	Emergency Generator and Transfer Switch	10,750	SF	$ 6.65	$ 71,467.50	$ 10,723.13	$ 82,210.63

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	10,750	SF	$ 47.32	$ 508,690.00	$ 76,303.50	$ 584,993.50
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	10,750	SF	$ 6.55	$ 70,412.50	$ 10,561.88	$ 80,974.38
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	10,750	SF	$ 5.85	$ 62,887.50	$ 9,433.13	$ 72,320.63

Repairs and Deferred Maintenence Costs
Fort Peck Law Enforcement Center
Poplar, Montana

September 22, 2006

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 3,544,733.41
Total Facility Soft Costs - Items 1 through Item 10						$ 1,402,900.53
1. Reserve Fund - 10% of Building Hard Cost						$ 214,183.29
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 171,346.63
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 149,926.30
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 128,509.97
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 32,127.49
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

5. Pre-Construction Services		
5a. Design at Office	**15.00%**	$ 385,529.92
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
5b. Site Investigations	**2.5%**	$ 53,545.82
Site Investigations	2.50%	
5c. Assistance prior to Construction	**3.00%**	$ 64,254.99
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
5d. Site Preparation, Demolition and Special Construction		$ 42,836.66
Site Preparation - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 128,509.97
Management Assistance during Construction - 6%		
8. M & I Government		$ 10,709.16
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 10,709.16
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 10,709.16
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 2,141,832.88
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 414,548.30
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 1,727,284.58
Including Markup, from next page		
Special Structures		

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,727,284.58
	Demolition of Existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	6,000	SF	$ 22.58	$ 135,450.00	$ 20,317.50	$ 155,767.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 8.94	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

	Component	Description of Element	Qty	Unit	Matl,Labor,Equip Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 8.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	12,907	SF	$ 32.34	$ 417,412.38	$ 62,611.86	$ 480,024.24
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	6,000	SF	$ 5.39	$ 32,340.00	$ 4,851.00	$ 37,191.00
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	12,907	SF	$ 8.86	$ 114,356.02	$ 17,153.40	$ 131,509.42
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	12,907	SF	$ 47.32	$ 610,759.24	$ 91,613.89	$ 702,373.13
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	12,907	SF	$ 9.00	$ 116,163.00	$ 17,424.45	$ 133,587.45
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 12.79	$ -	$ -	$ -
F	**Special Construction**							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	12,907	SF	$ 5.85	$ 75,505.95	$ 11,325.89	$ 86,831.84

	Element					
	Quantity	Unit	Matl, Labor, Equip Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 2,960,033.03
Total Facility Soft Costs - Items 1 through Item 10						$ 1,171,483.43
1. Reserve Fund - 10% of Building Hard Cost						$ 178,853.66
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency - (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 143,083.17
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 125,197.77
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 107,312.38
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 26,828.09

6. Pre-Construction Services			
6a. Design at Office	18.00%		$ 321,937.13
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	2.5%		$ 44,713.49
Site Investigations	2.50%		
6c. Assistance prior to Construction	3.00%		$ 53,656.19
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 35,770.79
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 107,312.38
Management Assistance during Construction - 6%			
8. M & I Government			$ 8,942.70
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 8,942.70
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 8,942.70
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 1,788,539.59
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 346,168.95
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 1,442,370.64
Including Markup, from next page			
Special Structures			

Repairs and Deferred Maintenance Costs
Fort Totten Law Enforcement Center
Spirit Lake Nation, North Dakota

September 22, 2006

	Component	Description of Element	Qty	Unit	Mat\Labor\Equip Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,442,370.64
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	20	SF	$ 315.00	$ 6,300.00	$ 945.00	$ 7,245.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	3,500	SF	$ 3.57	$ 12,495.00	$ 1,874.25	$ 14,369.25
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Repairs and Deferred Maintenance Costs
Fort Totten Law Enforcement Center
Spirit Lake Nation, North Dakota

September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	3,000	SF	$ 4.32	$ 12,960.00	$ 1,944.00	$ 14,904.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	3,000	SF	$ 8.91	$ 20,736.00	$ 3,110.40	$ 23,846.40
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	3,500	SF	$ 2.41	$ 8,435.00	$ 1,265.25	$ 9,700.25
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	7,572	SF	$ 32.34	$ 244,878.48	$ 36,731.77	$ 281,610.25
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	7,572	SF	$ 5.38	$ 40,813.08	$ 6,121.96	$ 46,935.04
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	7,572	SF	$ 29.61	$ 224,206.92	$ 33,631.04	$ 257,837.96
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	400 Amp Service, Panelboard, Feeders	7,572	SF	$ 8.58	$ 64,929.90	$ 9,739.49	$ 74,669.39
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	7,572	SF	$ 18.27	$ 138,340.44	$ 20,751.07	$ 159,091.51
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	7,572	SF	$ 7.09	$ 53,685.48	$ 8,052.82	$ 61,738.30

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	7,572	SF	$ 47.32	$ 358,307.04	$ 53,746.06	$ 412,053.10
E1030	ADA Requirements	ADA Requirements for Staff and inmates	7,572	SF	$ 9.00	$ 68,148.00	$ 10,222.20	$ 78,370.20
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Serve Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

Repairs and Deferred Maintenance Costs
Hopi Correction Center
Keams Canyon, Arizona

September 22, 2006

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 3,163,652.22
Total Facility Soft Costs - Items 1 through Item 10						$ 1,252,079.88
1. Reserve Fund - 10% of Building Hard Cost						$ 191,157.23
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency: (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency: (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 152,925.79
3. Construction Contingency - 7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 133,810.06
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 114,694.34
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 28,673.59

6. Pre-Construction Services		
6a. Design at Office	**18.00%**	$ 344,083.02
Architectural Design	2.75%	
Interior design	1.20%	
Civil Design	1.20%	
Structural Design	1.40%	
Mechanical Design	1.25%	
Electrical Design	1.25%	
Landscape Design	0.20%	
Specialty Security Design	1.25%	
Geotechnical Investigation	1.00%	
Structural Investigation	0.50%	
Hazardous Materials Consult/Investigation	1.00%	
6b. Site Investigations	**2.5%**	$ 47,789.31
Site Investigations	2.50%	
6c. Assistance prior to Construction	**3.00%**	$ 57,347.17
Estimating	2.00%	
Scheduling	0.70%	
Constructability Review	0.30%	
6d. Site Preparation, Demolition and Special Construction		$ 38,231.45
Site Preparation - 2% of Building Hard Cost		
7. Construction Management Assistance		$ 114,694.34
Management Assistance during Construction - 6%		
8. M & I Government		$ 9,557.86
One-Half percent of Building Hard Cost		
9. D & C - Government PC&B		$ 9,557.86
One-Half percent of Building Hard Cost		
10. D & C - Government Travel and Inspection		$ 9,557.86
One-Half percent of Building Hard Cost		
Total Building Hard Cost incl Gen Contr. Markup		$ 1,911,572.34
General Contractor's		
Gen Cond, Bond, Overhead and Profit 22%		$ 369,981.74
Construction General Cond, Overhead and Profit - Total	24.0%	
Profit	10.00%	
Overhead	8.00%	
Insurance	1.25%	
Bond	2.40%	
General Conditions	2.30%	
Subcontractor's Costs		$ 1,541,590.59
Including Markup, from next page		
Special Structures		

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,541,590.59
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	100	SF	$ 315.00	$ 31,500.00	$ 4,725.00	$ 36,225.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	2,000	SF	$ 8.93	$ 17,850.00	$ 2,677.50	$ 20,527.50
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	1,500	SF	$ 6.48	$ 9,720.00	$ 1,458.00	$ 11,178.00
C1020	Interior Doors	Hollow Metal Fire Doors	3,000	SF	$ 27.15	$ 81,450.00	$ 12,217.50	$ 93,667.50
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	21,458	SF	$ 4.32	$ 92,698.56	$ 13,904.78	$ 106,603.34
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	5,000	SF	$ 6.91	$ 34,560.00	$ 5,184.00	$ 39,744.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,500	SF	$ 2.41	$ 6,025.00	$ 903.75	$ 6,928.75
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	6,000	SF	$ 32.34	$ 194,040.00	$ 29,106.00	$ 223,146.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	10,000	SF	$ 29.61	$ 296,100.00	$ 44,415.00	$ 340,515.00
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	10,000	SF	$ 3.95	$ 39,500.00	$ 5,925.00	$ 45,425.00
D5010	Elect Service - Distrib	1200 Amp Service, Panelboard, Feeders	10,000	SF	$ 3.43	$ 34,300.00	$ 5,145.00	$ 39,445.00
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	3,000	SF	$ 8.86	$ 26,580.00	$ 3,987.00	$ 30,567.00
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	7,000	SF	$ 47.32	$ 331,240.00	$ 49,686.00	$ 380,926.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	9,000	SF	$ 9.00	$ 81,000.00	$ 12,150.00	$ 93,150.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	5,000	SF	$ 12.79	$ 63,950.00	$ 9,592.50	$ 73,542.50
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement		SF		$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
Project Summary	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 1,275,623.89
Total Facility Soft Costs - Items 1 through Item 10						$ 504,854.17
1. Reserve Fund - 10% of Building Hard Cost						$ 77,076.97
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 61,661.58
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 53,953.88
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 46,246.18
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 11,561.55

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	138,738.55
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	19,269.24
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	23,123.09
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	15,415.39
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	46,246.18
Management Assistance during Construction - 6%			
8. M & I Government		$	3,853.85
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	3,853.85
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	3,853.85
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	770,769.72
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	149,181.24
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	621,588.49
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 621,588.49
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	3,144	SF	$ 7.14	$ 22,448.16	$ 3,367.22	$ 25,815.38
B3020	Roof Openings	Roof Hatches	100	SF	$ 70.01	$ 7,001.00	$ 1,050.15	$ 8,051.15

					Mat\Labor\Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	3,000	SF	$ 4.32	$ 12,960.00	$ 1,944.00	$ 14,904.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	3,144	SF	$ 6.91	$ 21,731.33	$ 3,259.70	$ 24,991.03
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	3,144	SF	$ 3.62	$ 11,365.56	$ 1,704.83	$ 13,070.39
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	1,800	SF	$ 32.34	$ 58,212.00	$ 8,731.80	$ 66,943.80
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	3,144	SF	$ 29.61	$ 93,093.84	$ 13,964.08	$ 107,057.92
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	3,144	SF	$ 10.27	$ 32,288.88	$ 4,843.33	$ 37,132.21
D5010	Elect Service - Distrib	200 Amp Service, Panelboard, Feeders	3,144	SF	$ 9.31	$ 29,270.64	$ 4,390.60	$ 33,661.24
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	3,144	SF	$ 18.27	$ 57,440.88	$ 8,616.13	$ 66,057.01
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	3,144	SF	$ 8.86	$ 27,855.84	$ 4,178.38	$ 32,034.22
D5090	Emergency Backup	Emergency Generator and Transfer Switch	3,144	SF	$ 10.65	$ 33,463.60	$ 5,022.54	$ 38,506.14

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	1,950	SF	$ 47.32	$ 92,274.00	$ 13,841.10	$ 106,115.10
E1030	ADA Requirements	ADA Requirements for Staff and inmates	3,144	SF	$ 9.00	$ 28,296.00	$ 4,244.40	$ 32,540.40
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	1,000	SF	$ 12.79	$ 12,790.00	$ 1,918.50	$ 14,708.50
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	M,L,E Cost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 3,872,395.16
Total Facility Soft Costs - Items 1 through Item 10						$ 1,532,579.35
1. Reserve Fund - 10% of Building Hard Cost						$ 233,981.58
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 187,165.26
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 163,787.11
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 140,388.95
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 35,097.24
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		**$ 421,168.65**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		**$ 58,495.40**
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		**$ 70,194.47**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			**$ 46,796.32**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 140,388.95**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 11,699.08**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 11,699.08**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 11,699.08**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 2,339,815.81**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 452,867.58**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 1,886,948.23**
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,686,948.23
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	100	SF	$ 315.00	$ 31,500.00	$ 4,725.00	$ 36,225.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	1,000	SF	$ 4.32	$ 4,320.00	$ 648.00	$ 4,968.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	800	SF	$ 2.41	$ 1,928.00	$ 289.20	$ 2,217.20
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	14,060	SF	$ 32.34	$ 454,700.40	$ 68,205.06	$ 522,905.46
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	14,060	SF	$ 15.79	$ 221,937.10	$ 33,290.57	$ 255,227.67
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	14,060	SF	$ 29.61	$ 416,316.60	$ 62,447.49	$ 478,764.09
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	14,060	SF	$ 3.95	$ 55,537.00	$ 8,330.55	$ 63,867.55
D5010	Elect Service - Distrib	1200 Amp Service, Panelboard, Feeders, Lightning	6,000	SF	$ 29.89	$ 179,340.00	$ 26,901.00	$ 206,241.00
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	230	SF	$ 18.27	$ 4,202.10	$ 630.32	$ 4,832.42
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.85	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	4,330	SF	$ 47.32	$ 204,895.60	$ 30,734.34	$ 235,629.94
E1030	ADA Requirements	ADA Requirements for Staff and inmates	7,030	SF	$ 9.00	$ 63,270.00	$ 9,490.50	$ 72,760.50
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	225	SF	$ 12.79	$ 2,877.75	$ 431.66	$ 3,309.41
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 2,223,120.10
Total Facility Soft Costs - Items 1 through Item 10						$ 879,845.12
1. Reserve Fund - 10% of Building Hard Cost						$ 134,327.50
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 107,462.00
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 94,029.25
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 80,596.50
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 20,149.12
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 241,785.50
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 33,581.67
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 40,298.25
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 26,865.50
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 80,596.50
Management Assistance during Construction - 6%			
8. M & I Government			$ 6,716.37
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 6,716.37
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 6,716.37
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 1,343,274.99
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 259,988.71
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 1,083,286.28
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,083,286.28
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	20	SF	$ 315.00	$ 6,300.00	$ 945.00	$ 7,245.00
B2030	Exterior Doors	Metal Doors	100	SF	$ 44.00	$ 4,400.00	$ 660.00	$ 5,060.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	9,647	SF	$ 3.57	$ 34,439.79	$ 5,165.97	$ 39,605.76
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	4,000	SF	$ 4.32	$ 17,280.00	$ 2,592.00	$ 19,872.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	2,500	SF	$ 6.91	$ 17,280.00	$ 2,592.00	$ 19,872.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	4,500	SF	$ 2.41	$ 10,845.00	$ 1,626.75	$ 12,471.75
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	9,647	SF	$ 32.34	$ 311,983.98	$ 46,797.60	$ 358,781.58
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	4,500	SF	$ 5.39	$ 24,255.00	$ 3,638.25	$ 27,893.25
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	1,000	SF	$ 29.61	$ 29,610.00	$ 4,441.50	$ 34,051.50
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	9,647	SF	$ 7.90	$ 76,211.30	$ 11,431.70	$ 87,643.00
D5010	Elect Service - Distrib	1200 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	6,000	SF	$ 18.27	$ 109,620.00	$ 16,443.00	$ 126,063.00
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Mat/Labor/Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	4,500	SF	$ 47.32	$ 212,940.00	$ 31,941.00	$ 244,881.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	9,647	SF	$ 9.00	$ 86,823.00	$ 13,023.45	$ 99,846.45
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	M,L,E Cost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 1,873,160
Total Facility Soft Costs - Items 1 through Item 10						$ 741,341
1. Reserve Fund - 10% of Building Hard Cost						$ 113,181.86
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 90,545.49
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 79,227.30
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 67,909.12
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 16,977.28
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		**$ 203,727.35**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		**$ 28,295.48**
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		**$ 33,954.58**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			**$ 22,636.37**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 67,909.12**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 5,659.09**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 5,659.09**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 5,659.09**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 1,131,819**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 219,061.66**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 912,756.93**
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 912,756.93
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	75	SF	$ 80.86	$ 6,066.00	$ 909.90	$ 6,975.90
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	890	SF	$ 6.91	$ 6,151.68	$ 922.75	$ 7,074.43
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	9,240	SF	$ 2.41	$ 22,268.40	$ 3,340.26	$ 25,608.66
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	9,240	SF	$ 32.34	$ 298,821.60	$ 44,823.24	$ 343,644.84
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	4,900	SF	$ 5.39	$ 26,411.00	$ 3,961.65	$ 30,372.65
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	4,600	SF	$ 29.61	$ 136,206.00	$ 20,430.90	$ 156,636.90
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	9,240	SF	$ 3.95	$ 36,498.00	$ 5,474.70	$ 41,972.70
D5010	Elect Service - Distrib	400 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	900	SF	$ 18.27	$ 16,443.00	$ 2,466.45	$ 18,909.45
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	3,600	SF	$ 8.86	$ 31,896.00	$ 4,784.40	$ 36,680.40
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	4,500	SF	$ 47.32	$ 212,940.00	$ 31,941.00	$ 244,881.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

Project Summary	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Total Cost - Total of Hard and Soft Costs						$ 3,418,020.78
Total Facility Soft Costs - Items 1 through Item 10						$ 1,352,751.43
1. Reserve Fund - 10% of Building Hard Cost						$ 206,526.94
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 165,221.55
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 144,568.85
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 123,916.16
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 30,979.04

Pre	6. Pre-Construction Services			ate
	6a. Design at Office	18.00%	$ 371,748.48	006
	Architectural Design	2.75%		
	Interior design	1.20%		
	Civil Design	1.20%		
	Structural Design	1.40%		
	Mechanical Design	1.25%		
	Electrical Design	1.25%		
	Landscape Design	0.20%		
	Specialty Security Design	1.25%		
	Geotechnical Investigation	1.00%		
	Structural Investigation	0.50%		
	Hazardous Materials Consult/Investigation	1.00%		
	6b. Site Investigations	2.5%	$ 51,631.73	
	Site Investigations	2.50%		
	6c. Assistance prior to Construction	3.00%	$ 61,958.08	
	Estimating	2.00%		
	Scheduling	0.70%		
	Constructability Review	0.30%		
	6d. Site Preparation, Demolition and Special Construction		$ 41,305.39	
	Site Preparation - 2% of Building Hard Cost			
	7. Construction Management Assistance		$ 123,916.16	
	Management Assistance during Construction - 6%			
	8. M & I Government		$ 10,326.35	
	One-Half percent of Building Hard Cost			
	9. D & C - Government PC&B		$ 10,326.35	
	One-Half percent of Building Hard Cost			
	10. D & C - Government Travel and Inspection		$ 10,326.35	
	One-Half percent of Building Hard Cost			
	Total Building Hard Cost incl Gen Contr. Markup		$ 2,065,269.35	
	General Contractor's			
	Gen Cond, Bond, Overhead and Profit 22%		$ 399,729.55	
	Construction General Cond, Overhead and Profit - Total	24.0%		
	Profit	10.00%		
	Overhead	8.00%		
	Insurance	1.25%		
	Bond	2.40%		
	General Conditions	2.30%		
	Subcontractor's Costs		$ 1,665,539.80	
	Including Markup, from next page			
	Special Structures			

Lamedeer, Montana

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 1,665,539.80
	Demolition of Existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	4,000	SF	$ 22.58	$ 90,300.00	$ 13,545.00	$ 103,845.00
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 8.94	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	8,124	SF	$ 0.88	$ 7,149.12	$ 1,072.37	$ 8,221.49
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Prepared by Shubnum

Repairs and Deferred Maintenence Costs
Northern Cheyenne Law Enforcement Center
Lamedeer, Montana

Cost Estimate
Date: September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	1,000	SF	$ 2.16	$ 2,160.00	$ 324.00	$ 2,484.00
C1020	Interior Doors	Hollow Metal Fire Doors	2,000	SF	$ 0.86	$ 1,720.00	$ 258.00	$ 1,978.00
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	6,000	SF	$ 4.32	$ 25,920.00	$ 3,888.00	$ 29,808.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	4,000	SF	$ 6.91	$ 27,648.00	$ 4,147.20	$ 31,795.20
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	8,000	SF	$ 2.41	$ 14,460.00	$ 2,169.00	$ 16,629.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	8,124	SF	$ 32.34	$ 262,730.16	$ 39,409.52	$ 302,139.68
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	8,124	SF	$ 5.39	$ 43,788.36	$ 6,568.25	$ 50,356.61
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	8,124	SF	$ 29.61	$ 240,551.64	$ 36,082.75	$ 276,634.39
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	8,124	SF	$ 18.27	$ 148,425.48	$ 22,263.82	$ 170,689.30
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	8,124	SF	$ 8.86	$ 71,978.64	$ 10,796.80	$ 82,775.44
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	8,124	SF	$ 47.32	$ 384,427.68	$ 57,664.15	$ 442,091.83
E1030	ADA Requirements	ADA Requirements for Staff and inmates	8,124	SF	$ 9.00	$ 73,116.00	$ 10,967.40	$ 84,083.40
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	500	SF	$ 12.79	$ 6,395.00	$ 959.25	$ 7,354.25
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	8,124	SF	$ 5.85	$ 47,525.40	$ 7,128.81	$ 54,654.21

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 583,413.44
Total Facility Soft Costs - Items 1 through Item 10						$ 230,897.77
1. Reserve Fund - 10% of Building Hard Cost						$ 35,251.57
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 28,201.25
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 24,676.10
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 21,150.94
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 5,287.74

6. Pre-Construction Services			
6a. Design at Office	18.00%	$	53,452.82
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	2.5%	$	8,812.89
Site Investigations	2.50%		
6c. Assistance prior to Construction	3.00%	$	10,575.47
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	7,050.31
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	21,150.94
Management Assistance during Construction - 6%			
8. M & I Government		$	1,762.58
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	1,762.58
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	1,762.58
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	352,515.67
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	68,228.84
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	284,286.83
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 284,286.83
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	80	SF	$ 315.00	$ 25,200.00	$ 3,780.00	$ 28,980.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Wooden Joists	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Composite	4,647	SF	$ 6.07	$ 28,202.64	$ 4,230.40	$ 32,433.04
B3020	Roof Openings	Roof Hatches, Gutters, Eaves	150	SF	$ 33.31	$ 4,996.50	$ 749.48	$ 5,745.98

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	0	SF	$ 32.34	$ -	$ -	$ -
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	3,990	SF	$ 47.32	$ 188,806.80	$ 28,321.02	$ 217,127.82
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 733,848.97
Total Facility Soft Costs - Items 1 through Item 10						$ 290,435.69
1. Reserve Fund - 10% of Building Hard Cost						$ 44,341.33
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 35,473.06
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 31,038.93
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 26,604.80
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 6,651.20

5. Pre-Construction Services			
6a. Design at Office	18.00%	$	79,814.39
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	2.5%	$	11,085.33
Site Investigations	2.50%		
6c. Assistance prior to Construction	3.00%	$	13,302.40
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	8,868.27
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	26,604.80
Management Assistance during Construction - 6%			
8. M & I Government		$	2,217.07
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	2,217.07
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	2,217.07
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	443,413.27
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	85,821.92
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	357,591.35
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 357,531.35
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.56	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	2,000	SF	$ 10.22	$ 20,440.00	$ 3,066.00	$ 23,506.00
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	300	SF	$ 80.88	$ 24,264.00	$ 3,639.60	$ 27,903.60
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,000	SF	$ 4.32	$ 8,640.00	$ 1,296.00	$ 9,936.00
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,000	SF	$ 32.34	$ 64,680.00	$ 9,702.00	$ 74,382.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	1,500	SF	$ 29.61	$ 44,415.00	$ 6,662.25	$ 51,077.25
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.88	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	3,000	SF	$ 47.32	$ 141,960.00	$ 21,294.00	$ 163,254.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	1,000	SF	$ 6.55	$ 6,550.00	$ 982.50	$ 7,532.50
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 845,059.86
Total Facility Soft Costs - Items 1 through Item 10						$ 334,449.67
1. Reserve Fund - 10% of Building Hard Cost						$ 51,061.02
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 40,848.81
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 35,742.71
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 30,636.61
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 7,659.15
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	91,909.83
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	12,765.25
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	15,318.31
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	10,212.20
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	30,636.61
Management Assistance during Construction - 6%			
8. M & I Government		$	2,553.05
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	2,553.05
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	2,553.05
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	510,610.19
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	98,827.78
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	411,782.41
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 411,782.41**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	150	SF	$ 84.39	$ 9,657.90	$ 1,448.69	$ 11,106.59
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	20	SF	$ 315.00	$ 6,300.00	$ 945.00	$ 7,245.00
B2030	Exterior Doors	Metal Doors	100	SF	$ 52.80	$ 5,280.00	$ 792.00	$ 6,072.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Prepared by Shubnum

Repairs and Deferred Maintenance Costs
Oglala Law Enforcement Center
Oglala, South Dakota

Cost Estimate
Date: September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Metal Doors	100	SF	$ 128.00	$ 12,800.00	$ 1,920.00	$ 14,720.00
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	1,600	SF	$ 4.32	$ 6,912.00	$ 1,036.80	$ 7,948.80
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	880	SF	$ 6.91	$ 6,082.56	$ 912.38	$ 6,994.94
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	880	SF	$ 2.41	$ 2,120.80	$ 318.12	$ 2,438.92
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,380	SF	$ 32.34	$ 76,969.20	$ 11,545.38	$ 88,514.58
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	2,380	SF	$ 5.39	$ 12,828.20	$ 1,924.23	$ 14,752.43
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	1,250	SF	$ 19.74	$ 24,675.00	$ 3,701.25	$ 28,376.25
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	2,380	SF	$ 7.11	$ 16,921.80	$ 2,538.27	$ 19,460.07
D5010	Elect Service - Distrib	Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	2,380	SF	$ 18.27	$ 43,482.60	$ 6,522.39	$ 50,004.99
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	2,380	SF	$ 47.32	$ 112,621.60	$ 16,893.24	$ 129,514.84
E1030	ADA Requirements	ADA Requirements for Staff and inmates	2,380	SF	$ 9.00	$ 21,420.00	$ 3,213.00	$ 24,633.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	**Special Construction**							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 612,700.60
Total Facility Soft Costs - Items 1 through Item 10						$ 242,488.76
1. Reserve Fund - 10% of Building Hard Cost						$ 37,021.18
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 29,616.95
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 25,914.83
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 22,212.71
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 5,553.18

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	66,638.13
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	9,255.30
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	11,106.36
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	7,404.24
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	22,212.71
Management Assistance during Construction - 6%			
8. M & I Government		$	1,851.06
One-Half percent of Building Hard Cost			
9. D & C - Government PC&S		$	1,851.06
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	1,851.06
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	370,211.85
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	71,653.91
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	298,557.94
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 298,557.94**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	125	SF	$ 13.50	$ 1,687.50	$ 253.13	$ 1,940.63
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	2,380	SF	$ 20.44	$ 48,647.20	$ 7,297.08	$ 55,944.28
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	20	SF	$ 315.00	$ 6,300.00	$ 945.00	$ 7,245.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	250	SF	$ 2.16	$ 540.00	$ 81.00	$ 621.00
C1020	Interior Doors	Hollow Metal Fire Doors	50	SF	$ 25.80	$ 1,290.00	$ 193.50	$ 1,483.50
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,380	SF	$ 4.32	$ 10,281.60	$ 1,542.24	$ 11,823.84
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	1,250	SF	$ 6.91	$ 8,640.00	$ 1,296.00	$ 9,936.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	1,250	SF	$ 2.41	$ 3,012.50	$ 451.88	$ 3,464.38
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,380	SF	$ 32.34	$ 76,969.20	$ 11,545.38	$ 88,514.58
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	2,380	SF	$ 5.39	$ 12,828.20	$ 1,924.23	$ 14,752.43
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	Panelboard, Feeders, Grounding	1,000	SF	$ 3.43	$ 3,430.00	$ 514.50	$ 3,944.50
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	2,380	SF	$ 18.27	$ 43,482.60	$ 6,522.39	$ 50,004.99
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	2,380	SF	$ 8.86	$ 21,086.80	$ 3,163.02	$ 24,249.82
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	0	SF	$ 47.32	$ -	$ -	$ -
E1030	ADA Requirements	ADA Requirements for Staff and inmates	2,380	SF	$ 9.00	$ 21,420.00	$ 3,213.00	$ 24,633.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 876,863.16
Total Facility Soft Costs - Items 1 through Item 10						$ 347,036.48
1. Reserve Fund - 10% of Building Hard Cost						$ 52,982.67
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 42,366.13
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 37,087.87
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 31,789.60
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 7,947.40
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	95,368.80
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	13,245.67
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	15,894.80
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	10,596.53
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	31,789.60
Management Assistance during Construction - 6%			
8. M & I Government		$	2,649.13
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	2,649.13
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	2,649.13
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	529,826.68
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	102,547.10
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	427,279.58
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 427,279.58**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	1,716	SF	$ 26.34	$ 45,195.15	$ 6,779.27	$ 51,974.42
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	1,716	SF	$ 4.32	$ 7,413.12	$ 1,111.97	$ 8,525.09
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	1,716	SF	$ 6.91	$ 11,860.99	$ 1,779.15	$ 13,640.14
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	1,716	SF	$ 32.34	$ 55,495.44	$ 8,324.32	$ 63,819.76
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	1,716	SF	$ 29.61	$ 50,810.76	$ 7,621.61	$ 58,432.37
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	1,716	SF	$ 8.86	$ 15,203.76	$ 2,280.56	$ 17,484.32
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	1,716	SF	$ 94.64	$ 162,402.24	$ 24,360.34	$ 186,762.58
E1030	ADA Requirements	ADA Requirements for Staff and inmates	1,716	SF	$ 13.50	$ 23,166.00	$ 3,474.90	$ 26,640.90
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	**Special Construction**							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 1,374,670.10
Total Facility Soft Costs - Items 1 through Item 10						$ 544,053.73
1. Reserve Fund - 10% of Building Hard Cost						$ 83,061.64
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 66,449.31
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 58,143.15
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 49,836.98
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 12,459.25
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services				
6a. Design at Office	Tahoian, Washington	**18.00%**	$	149,510.95
Architectural Design		2.75%		
Interior design		1.20%		
Civil Design		1.20%		
Structural Design		1.40%		
Mechanical Design		1.25%		
Electrical Design		1.25%		
Landscape Design		0.20%		
Specialty Security Design		1.25%		
Geotechnical Investigation		1.00%		
Structural Investigation		0.50%		
Hazardous Materials Consult/Investigation		1.00%		
6b. Site Investigations		**2.5%**	$	20,765.41
Site Investigations		2.50%		
6c. Assistance prior to Construction		**3.00%**	$	24,918.49
Estimating		2.00%		
Scheduling		0.70%		
Constructability Review		0.30%		
6d. Site Preparation, Demolition and Special Construction			$	16,612.33
Site Preparation - 2% of Building Hard Cost				
7. Construction Management Assistance			$	49,836.98
Management Assistance during Construction - 6%				
8. M & I Government			$	4,153.08
One-Half percent of Building Hard Cost				
9. D & C - Government PC&B			$	4,153.08
One-Half percent of Building Hard Cost				
10. D & C - Government Travel and Inspection			$	4,153.08
One-Half percent of Building Hard Cost				
Total Building Hard Cost incl Gen Contr. Markup			$	830,816.38
General Contractor's				
Gen Cond, Bond, Overhead and Profit 22%			$	160,764.46
Construction General Cond, Overhead and Profit - Total		24.0%		
Profit		10.00%		
Overhead		8.00%		
Insurance		1.25%		
Bond		2.40%		
General Conditions		2.30%		
Subcontractor's Costs			$	669,851.92
Including Markup, from next page				
Special Structures				

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 669,851.92**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	1,000	SF	$ 3.57	$ 3,570.00	$ 535.50	$ 4,105.50
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Prepared by Shubnum

Repairs and Deferred Maintenance Costs
Quinault Detention Center,
Taholah,
Washington

Cost Estimate
Date: September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	5,124	SF	$ 6.48	$ 33,203.52	$ 4,980.53	$ 38,184.05
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	5,124	SF	$ 6.91	$ 35,417.09	$ 5,312.56	$ 40,729.65
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,500	SF	$ 32.34	$ 80,850.00	$ 12,127.50	$ 92,977.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	5,124	SF	$ 29.61	$ 151,721.64	$ 22,758.25	$ 174,479.89
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	2,500	SF	$ 8.86	$ 22,150.00	$ 3,322.50	$ 25,472.50
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	5,124	SF	$ 47.32	$ 242,467.68	$ 36,370.15	$ 278,837.83
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	2,000	SF	$ 6.55	$ 13,100.00	$ 1,965.00	$ 15,065.00
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 3,057,255.27
Total Facility Soft Costs - Items 1 through Item 10						$ 1,209,971.12
1. Reserve Fund - 10% of Building Hard Cost						$ 184,726.41
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 147,782.73
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 129,309.89
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 110,837.05
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 27,709.26
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 332,511.15
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 46,182.10
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 55,418.52
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 36,945.68
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 110,837.05
Management Assistance during Construction - 6%			
8. M & I Government			$ 9,236.42
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 9,236.42
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 9,236.42
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 1,847,284.15
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 357,538.87
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 1,489,745.28
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 1,489,745.28**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	6,500	SF	$ 10.22	$ 66,430.00	$ 9,964.50	$ 76,394.50
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	160	SF	$ 315.00	$ 50,400.00	$ 7,560.00	$ 57,960.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	13,030	SF	$ 6.43	$ 83,730.78	$ 12,559.62	$ 96,290.40
B3020	Roof Openings	Roof Hatches	13,030	SF	$ 0.51	$ 6,645.30	$ 996.80	$ 7,642.10

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	6,500	SF	$ 2.12	$ 13,780.00	$ 2,067.00	$ 15,847.00
C3010	Wall Finishes	Paint - 2 coats, 2 sides	13,030	SF	$ 4.32	$ 56,289.60	$ 8,443.44	$ 64,733.04
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	1,000	SF	$ 6.91	$ 6,912.00	$ 1,036.80	$ 7,948.80
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	13,030	SF	$ 2.41	$ 31,402.30	$ 4,710.35	$ 36,112.65
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,000	SF	$ 32.34	$ 64,680.00	$ 9,702.00	$ 74,382.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	13,030	SF	$ 0.51	$ 6,645.30	$ 996.80	$ 7,642.10
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	2,000	SF	$ 29.61	$ 59,220.00	$ 8,883.00	$ 68,103.00
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	800 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	13,030	SF	$ 8.86	$ 115,445.80	$ 17,316.87	$ 132,762.67
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Mat\,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	13,030	SF	$ 47.32	$ 616,579.60	$ 92,486.94	$ 709,066.54
E1030	ADA Requirements	ADA Requirements for Staff and inmates	13,030	SF	$ 9.00	$ 117,270.00	$ 17,590.50	$ 134,860.50
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 663,616.84
Total Facility Soft Costs - Items 1 through Item 10						$ 262,639.90
1. Reserve Fund - 10% of Building Hard Cost						$ 40,097.69
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency. (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 32,078.16
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 28,068.39
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 24,058.62
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 6,014.65
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 72,175.85
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 10,024.42
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 12,029.31
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 8,019.54
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 24,058.62
Management Assistance during Construction - 6%			
8. M & I Government			$ 2,004.88
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 2,004.88
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 2,004.88
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 400,976.94
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 77,608.44
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 323,368.50
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 323,368.50
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Prepared by Shubnum

Repairs and Deferred Maintenance Costs
San Carlos Detention Center
San Carlos, Arizona

Cost Estimate
Date: September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	6,500	SF	$ 32.34	$ 210,210.00	$ 31,531.50	$ 241,741.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	1,500	SF	$ 47.32	$ 70,980.00	$ 10,647.00	$ 81,627.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 2,226,359.03
Total Facility Soft Costs - Items 1 through Item 10						$ 881,126.99
1. Reserve Fund - 10% of Building Hard Cost						$ 134,523.20
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 107,618.56
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 94,166.24
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 80,713.92
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 20,178.48
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 242,141.77
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 33,630.80
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 40,356.96
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 26,904.64
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 80,713.92
Management Assistance during Construction - 6%			
8. M & I Government			$ 6,726.16
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 6,726.16
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 6,726.16
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 1,345,232.04
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 260,367.49
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 1,084,864.55
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 1,084,864.55**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	2,200	SF	$ 16.88	$ 37,136.00	$ 5,570.40	$ 42,706.40
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	8,704	SF	$ 3.57	$ 31,073.28	$ 4,660.99	$ 35,734.27
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Prepared by Shubnum

Repairs and Deferred Maintenance Costs
Shiprock Adult Detention Center
Shiprock, New Mexico

Cost Estimate
Date: September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	400	SF	$ 21.72	$ 8,688.00	$ 1,303.20	$ 9,991.20
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	4,500	SF	$ 6.91	$ 31,104.00	$ 4,665.60	$ 35,769.60
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	1,000	SF	$ 2.41	$ 2,410.00	$ 361.50	$ 2,771.50
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	3,250	SF	$ 32.34	$ 105,105.00	$ 15,765.75	$ 120,870.75
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	3,600	SF	$ 5.39	$ 19,404.00	$ 2,910.60	$ 22,314.60
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	8,000	SF	$ 29.61	$ 236,880.00	$ 35,532.00	$ 272,412.00
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	8,704	SF	$ 3.95	$ 34,380.80	$ 5,157.12	$ 39,537.92
D5010	Elect Service - Distrib	400 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	3,000	SF	$ 18.27	$ 54,810.00	$ 8,221.50	$ 63,031.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	500	SF	$ 8.86	$ 4,430.00	$ 664.50	$ 5,094.50
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	5,150	SF	$ 47.32	$ 243,698.00	$ 36,554.70	$ 280,252.70
E1030	ADA Requirements	ADA Requirements for Staff and inmates	4,000	SF	$ 9.00	$ 36,000.00	$ 5,400.00	$ 41,400.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	3,700	SF	$ 12.79	$ 47,323.00	$ 7,098.45	$ 54,421.45
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	8,704	SF	$ 5.85	$ 50,918.40	$ 7,637.76	$ 58,556.16

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 757,296.39
Total Facility Soft Costs - Items 1 through Item 10						$ 299,715.49
1. Reserve Fund - 10% of Building Hard Cost						$ 45,756.09
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 36,608.47
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 32,030.66
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 27,454.85
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 6,863.71

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		**$ 82,364.56**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		**$ 11,439.52**
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		**$ 13,727.43**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			**$ 9,151.62**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 27,454.85**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 2,287.90**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 2,287.90**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 2,287.90**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 457,580.90**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 88,564.04**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 369,016.85**
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 369,016.85
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	4,557	SF	$ 7.14	$ 32,536.98	$ 4,880.55	$ 37,417.53
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	2,500	SF	$ 6.91	$ 17,280.00	$ 2,592.00	$ 19,872.00
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,000	SF	$ 2.41	$ 4,820.00	$ 723.00	$ 5,543.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	1,000	SF	$ 32.34	$ 32,340.00	$ 4,851.00	$ 37,191.00
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	1,000	SF	$ 18.27	$ 18,270.00	$ 2,740.50	$ 21,010.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	4,557	SF	$ 47.32	$ 215,637.24	$ 32,345.59	$ 247,982.83
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 361,642.59
Total Facility Soft Costs - Items 1 through Item 10						$ 143,127.43
1. Reserve Fund - 10% of Building Hard Cost						$ 21,851.52
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 17,481.21
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 15,296.06
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 13,110.91
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 3,277.73

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 39,332.73
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 5,462.88
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 6,555.45
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 4,370.30
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 13,110.91
Management Assistance during Construction - 6%			
8. M & I Government			$ 1,092.58
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 1,092.58
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 1,092.58
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 218,515.16
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 42,293.26
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 176,221.90
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 175,221.90**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.46	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	1,444	SF	$ 7.05	$ 10,180.20	$ 1,527.03	$ 11,707.23
B3010	Roof Covering	Elastomeric Membrane	1,444	SF	$ 3.57	$ 5,155.08	$ 773.26	$ 5,928.34
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

Prepared by Shubnum

Repairs and Deferred Maintenance Costs
Taos Tribal Detention Center
Taos, New Mexico

Cost Estimate
Date: September 22, 2006

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	340	SF	$ 2.41	$ 819.40	$ 122.91	$ 942.31
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	700	SF	$ 32.34	$ 22,638.00	$ 3,395.70	$ 26,033.70
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	745	SF	$ 7.32	$ 5,449.68	$ 817.45	$ 6,267.13
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	200 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	1,444	SF	$ 32.89	$ 47,487.38	$ 7,123.11	$ 54,610.49
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	725	SF	$ 8.86	$ 6,423.50	$ 963.53	$ 7,387.03
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	1,110	SF	$ 47.32	$ 52,525.20	$ 7,878.78	$ 60,403.98
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	200	SF	$ 12.79	$ 2,558.00	$ 383.70	$ 2,941.70
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 848,336.67
Total Facility Soft Costs - Items 1 through Item 10						$ 335,746.54
1. Reserve Fund - 10% of Building Hard Cost						$ 51,259.01
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 41,007.21
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 35,881.31
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 30,755.41
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 7,688.85
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 92,266.22
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 12,814.75
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 15,377.70
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 10,251.80
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 30,755.41
Management Assistance during Construction - 6%			
8. M & I Government			$ 2,562.95
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 2,562.95
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 2,562.95
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			$ 512,590.13
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			$ 99,210.99
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			$ 413,379.14
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 413,379.14
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	750	SF	$ 10.80	$ 8,100.00	$ 1,215.00	$ 9,315.00
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,230	SF	$ 4.32	$ 9,633.60	$ 1,445.04	$ 11,078.64
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,344	SF	$ 32.34	$ 75,804.96	$ 11,370.74	$ 87,175.70
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	2,344	SF	$ 5.39	$ 12,634.16	$ 1,895.12	$ 14,529.28
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	4,344	SF	$ 3.95	$ 17,158.80	$ 2,573.82	$ 19,732.62
D5010	Elect Service - Distrib	200 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	4,344	SF	$ 15.98	$ 69,395.40	$ 10,409.31	$ 79,804.71

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	1,890	SF	$ 47.32	$ 89,434.80	$ 13,415.22	$ 102,850.02
E1030	ADA Requirements	ADA Requirements for Staff and inmates	4,344	SF	$ 9.00	$ 39,096.00	$ 5,864.40	$ 44,960.40
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	1,000	SF	$ 12.79	$ 12,790.00	$ 1,918.50	$ 14,708.50
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	4,344	SF	$ 5.85	$ 25,412.40	$ 3,811.86	$ 29,224.26

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 2,208,618.62
Total Facility Soft Costs - Items 1 through Item 10						$ 874,105.86
1. Reserve Fund - 10% of Building Hard Cost						$ 133,451.28
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 106,761.02
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 93,415.89
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 80,070.77
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 20,017.69
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services				
6a. Design at Office		**18.00%**	$	240,212.30
Architectural Design	Sells, Arizona	2.75%		
Interior design		1.20%		
Civil Design		1.20%		
Structural Design		1.40%		
Mechanical Design		1.25%		
Electrical Design		1.25%		
Landscape Design		0.20%		
Specialty Security Design		1.25%		
Geotechnical Investigation		1.00%		
Structural Investigation		0.50%		
Hazardous Materials Consult/Investigation		1.00%		
6b. Site Investigations		**2.5%**	$	33,362.82
Site Investigations		2.50%		
6c. Assistance prior to Construction		**3.00%**	$	40,035.38
Estimating		2.00%		
Scheduling		0.70%		
Constructability Review		0.30%		
6d. Site Preparation, Demolition and Special Construction			$	26,690.26
Site Preparation - 2% of Building Hard Cost				
7. Construction Management Assistance			$	80,070.77
Management Assistance during Construction - 6%				
8. M & I Government			$	6,672.56
One-Half percent of Building Hard Cost				
9. D & C - Government PC&B			$	6,672.56
One-Half percent of Building Hard Cost				
10. D & C - Government Travel and Inspection			$	6,672.56
One-Half percent of Building Hard Cost				
Total Building Hard Cost incl Gen Contr. Markup			$	1,334,512.78
General Contractor's				
Gen Cond, Bond, Overhead and Profit 22%			$	258,292.79
Construction General Cond, Overhead and Profit - Total		24.0%		
Profit		10.00%		
Overhead		8.00%		
Insurance		1.25%		
Bond		2.40%		
General Conditions		2.30%		
Subcontractor's Costs			$	1,076,219.97
Including Markup, from next page				
Special Structures				

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 1,076,219.97**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	8,829	SF	$ 3.57	$ 31,519.53	$ 4,727.93	$ 36,247.46
B3020	Roof Openings	Roof Hatches	50	SF	$ 100.01	$ 5,000.50	$ 750.08	$ 5,750.58

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	3,000	SF	$ 2.41	$ 7,230.00	$ 1,084.50	$ 8,314.50
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	8,829	SF	$ 32.34	$ 285,529.86	$ 42,829.48	$ 328,359.34
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	4,000	SF	$ 29.61	$ 118,440.00	$ 17,766.00	$ 136,206.00
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	3,000	SF	$ 18.27	$ 54,810.00	$ 8,221.50	$ 63,031.50
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	4,000	SF	$ 47.32	$ 189,280.00	$ 28,392.00	$ 217,672.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	8,829	SF	$ 9.00	$ 79,461.00	$ 11,919.15	$ 91,380.15
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	8,829	SF	$ 12.79	$ 112,922.91	$ 16,938.44	$ 129,861.35
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	8,829	SF	$ 5.85	$ 51,649.65	$ 7,747.45	$ 59,397.10

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 9,084,814.30
Total Facility Soft Costs - Items 1 through Item 10						$ 3,595,500.52
1. Reserve Fund - 10% of Building Hard Cost						$ 548,931.38
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 439,145.10
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 384,251.96
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 329,358.83
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 82,339.71
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		$ 988,076.48
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		$ 137,232.84
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		$ 164,679.41
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			$ 109,786.28
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			$ 329,358.83
Management Assistance during Construction - 6%			
8. M & I Government			$ 27,446.57
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			$ 27,446.57
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			$ 27,446.57
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 5,489,313.78**
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%			**$ 1,062,447.83**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs			**$ 4,426,865.95**
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 4,426,865.95
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	7,857	SF	$ 83.25	$ 654,095.25	$ 98,114.29	$ 752,209.54
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	7,857	SF	$ 30.00	$ 235,710.00	$ 35,356.50	$ 271,066.50
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	7,587	SF	$ 158.03	$ 1,198,935.68	$ 179,840.35	$ 1,378,776.03
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	40	SF	$ 315.00	$ 12,600.00	$ 1,890.00	$ 14,490.00
B2030	Exterior Doors	Metal Doors	25	SF	$ 560.88	$ 14,022.00	$ 2,103.30	$ 16,125.30
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	7,857	SF	$ 7.05	$ 55,391.85	$ 8,308.78	$ 63,700.63
B3010	Roof Covering	Elastomeric Membrane	7,857	SF	$ 5.71	$ 44,879.18	$ 6,731.88	$ 51,611.06
B3020	Roof Openings	Roof Hatches	7,857	SF	$ 0.01	$ 78.57	$ 11.79	$ 90.36

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	3,500	SF	$ 43.20	$ 151,200.00	$ 22,680.00	$ 173,880.00
C1020	Interior Doors	Hollow Metal Fire Doors	7,587	SF	$ 6.45	$ 48,936.15	$ 7,340.42	$ 56,276.57
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	7,857	SF	$ 6.91	$ 54,307.58	$ 8,146.14	$ 62,453.72
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	7,857	SF	$ 2.41	$ 18,935.37	$ 2,840.31	$ 21,775.68
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	7,857	SF	$ 32.34	$ 254,095.38	$ 38,114.31	$ 292,209.69
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	7,857	SF	$ 5.39	$ 42,349.23	$ 6,352.38	$ 48,701.61
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	7,857	SF	$ 29.61	$ 232,645.77	$ 34,896.87	$ 267,542.64
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1000 Amp Service, Panelboard, Feeders	7,857	SF	$ 7.35	$ 57,748.95	$ 8,662.34	$ 66,411.29
D5020	Lighting and Power	Fluorescent Fixtures, Recetacles, Switches and power	7,857	SF	$ 23.75	$ 186,611.61	$ 27,991.74	$ 214,603.35
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	7,857	SF	$ 9.75	$ 76,574.32	$ 11,486.15	$ 88,060.47
D5090	Emergency Backup	Emergency Generator and Transfer Switch	7,857	SF	$ 10.38	$ 81,555.66	$ 12,233.35	$ 93,789.01

					Mat/Labor/Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	1,250	SF	$ 47.32	$ 59,150.00	$ 8,872.50	$ 68,022.50
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	150	SF	$ 12.79	$ 1,918.50	$ 287.78	$ 2,206.28
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	7,657	SF	$ 46.80	$ 367,707.60	$ 55,156.14	$ 422,863.74

	Element					
			Matl, Labor, Equip.			
	Quantity	Unit	Rate	M,L,E Cost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 1,162,837.24
Total Facility Soft Costs - Items 1 through Item 10						$ 460,216.55
1. Reserve Fund - 10% of Building Hard Cost						$ 70,262.07
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 56,209.66
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 49,183.45
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 42,157.24
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 10,539.31

6. Pre-Construction Services			
6a. Design at Office	15.00%	$	126,471.72
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	2.5%	$	17,565.52
Site Investigations	2.50%		
6c. Assistance prior to Construction	3.00%	$	21,078.62
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	14,052.41
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	42,157.24
Management Assistance during Construction - 6%			
8. M & I Government		$	3,513.10
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	3,513.10
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	3,513.10
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	702,620.69
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	135,991.10
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	566,629.59
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 566,629.59
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	20	SF	$ 315.00	$ 5,300.00	$ 945.00	$ 7,245.00
B2030	Exterior Doors	Metal Doors	150	SF	$ 79.20	$ 11,880.00	$ 1,782.00	$ 13,662.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	2,380	SF	$ 9.64	$ 22,940.82	$ 3,441.12	$ 26,381.94
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	1,000	SF	$ 5.40	$ 5,400.00	$ 810.00	$ 6,210.00
C1020	Interior Doors	Hollow Metal Fire Doors	150	SF	$ 128.00	$ 19,200.00	$ 2,880.00	$ 22,080.00
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,380	SF	$ 4.32	$ 10,281.60	$ 1,542.24	$ 11,823.84
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	2,380	SF	$ 6.91	$ 16,450.58	$ 2,467.58	$ 18,918.14
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,380	SF	$ 2.41	$ 5,735.80	$ 860.37	$ 6,596.17
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,380	SF	$ 32.34	$ 76,969.20	$ 11,545.38	$ 88,514.58
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	2,380	SF	$ 5.39	$ 12,828.20	$ 1,924.23	$ 14,752.43
D2040	Rain Water Drainage	Roof Drains	2,380	SF	$ 0.51	$ 1,213.80	$ 182.07	$ 1,395.87
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	2,380	SF	$ 29.61	$ 70,471.80	$ 10,570.77	$ 81,042.57
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	2,380	SF	$ 3.95	$ 9,401.00	$ 1,410.15	$ 10,811.15
D5010	Elect Service - Distrib	Panelboard, Feeders	2,380	SF	$ 3.43	$ 8,163.40	$ 1,224.51	$ 9,387.91
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	2,380	SF	$ 18.27	$ 43,482.60	$ 6,522.39	$ 50,004.99
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	2,380	SF	$ 8.86	$ 21,086.80	$ 3,163.02	$ 24,249.82
D5090	Emergency Backup	Emergency Generator and Transfer Switch	2,380	SF	$ 7.09	$ 16,874.20	$ 2,531.13	$ 19,405.33

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	**Specialties**							
E1020	Specialty Equipment	Ancillary Equipment	2,380	SF	$ 47.32	$ 112,621.60	$ 16,893.24	$ 129,514.84
E1030	ADA Requirements	ADA Requirements for Staff and inmates	2,380	SF	$ 9.00	$ 21,420.00	$ 3,213.00	$ 24,633.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	**Special Construction**							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip.			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 4,573,490.57
Total Facility Soft Costs - Items 1 through Item 10						$ 1,910,052.16
1. Reserve Fund - 10% of Building Hard Cost						$ 276,343.84
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 221,075.07
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 193,440.69
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 165,806.30
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 41,451.58

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	497,416.91
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	69,085.96
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	82,903.15
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	55,268.77
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	165,806.30
Management Assistance during Construction - 6%			
8. M & I Government		$	13,817.19
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	13,817.19
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	13,817.19
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	2,763,438.41
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	534,859.05
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	2,228,579.37
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 2,226,579.37
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	25	SF	$ 315.00	$ 7,875.00	$ 1,181.25	$ 9,056.25
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.88	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	16,758	SF	$ 32.34	$ 541,953.72	$ 81,293.06	$ 623,246.78
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	16,758	SF	$ 29.61	$ 496,204.38	$ 74,430.66	$ 570,635.04
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1200 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	8,000	SF	$ 8.86	$ 70,880.00	$ 10,632.00	$ 81,512.00
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	12,000	SF	$ 47.32	$ 567,840.00	$ 85,176.00	$ 653,016.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	16,758	SF	$ 9.00	$ 150,822.00	$ 22,623.30	$ 173,445.30
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	8,000	SF	$ 12.79	$ 102,320.00	$ 15,348.00	$ 117,668.00
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 1,894,258.96
Total Facility Soft Costs - Items 1 through Item 10						$ 749,691.61
1. Reserve Fund - 10% of Building Hard Cost						$ 114,456.73
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 91,565.39
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 80,119.71
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 68,674.04
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 17,168.51

6. Pre-Construction Services			
6a. Design at Office	18.00%	$	206,022.12
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	2.5%	$	28,614.18
Site Investigations	2.50%		
6c. Assistance prior to Construction	3.00%	$	34,337.02
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	22,891.35
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	68,674.04
Management Assistance during Construction - 6%			
8. M & I Government		$	5,722.84
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	5,722.84
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	5,722.84
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	1,144,567.35
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	221,529.16
Construction General Cond. Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	923,038.19
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 923,038.19
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	150	SF	$ 315.00	$ 47,250.00	$ 7,087.50	$ 54,337.50
B2030	Exterior Doors	Metal Doors	200	SF	$ 80.88	$ 16,176.00	$ 2,426.40	$ 18,602.40
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	4,500	SF	$ 3.57	$ 16,065.00	$ 2,409.75	$ 18,474.75
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	100	SF	$ 15.16	$ 1,516.00	$ 227.40	$ 1,743.40
C1020	Interior Doors	Hollow Metal Fire Doors	100	SF	$ 10.86	$ 1,086.00	$ 162.90	$ 1,248.90
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	200	SF	$ 4.32	$ 864.00	$ 129.60	$ 993.60
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 6.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	600	SF	$ 32.34	$ 19,404.00	$ 2,910.60	$ 22,314.60
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	25,000	SF	$ 11.17	$ 279,125.00	$ 41,868.75	$ 320,993.75
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	9,000	SF	$ 29.61	$ 266,490.00	$ 39,973.50	$ 306,463.50
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	1,230	SF	$ 3.95	$ 4,858.50	$ 728.78	$ 5,587.28
D5010	Elect Service - Distrib	1000 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	1,070	SF	$ 18.27	$ 19,548.90	$ 2,932.34	$ 22,481.24
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	0	SF	$ 0.65	$ -	$ -	$ -

					Mat/Labor/Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	2,550	SF	$ 47.32	$ 120,666.00	$ 18,099.90	$ 138,765.90
E1030	ADA Requirements	ADA Requirements for Staff and inmates	0	SF	$ 9.00	$ -	$ -	$ -
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	750	SF	$ 12.79	$ 9,592.50	$ 1,438.88	$ 11,031.38
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.65	$ -	$ -	$ -

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	M,L,E Cost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 1,931,669.69
Total Facility Soft Costs - Items 1 through Item 10						$ 764,497.67
1. Reserve Fund - 10% of Building Hard Cost						$ 116,717.20
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 93,373.76
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 81,702.04
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 70,030.32
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 17,507.58

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	210,090.96
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	29,179.30
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	35,015.16
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	23,343.44
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	70,030.32
Management Assistance during Construction - 6%			
8. M & I Government		$	5,835.86
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	5,835.86
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	5,835.86
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	1,167,172.02
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	225,904.26
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	941,267.76
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 941,267.76
	Demolition of existing Work							
F1020		Demolition of existing	2,600	SF	$ 2.50	$ 6,500.00	$ 975.00	$ 7,475.00
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	2,600	SF	$ 3.00	$ 7,800.00	$ 1,170.00	$ 8,970.00
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	2,600	SF	$ 40.88	$ 106,288.00	$ 15,943.20	$ 122,231.20
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	160	SF	$ 315.00	$ 50,400.00	$ 7,560.00	$ 57,960.00
B2030	Exterior Doors	Metal Doors	2,600	SF	$ 8.80	$ 22,880.00	$ 3,432.00	$ 26,312.00
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	2,600	SF	$ 7.05	$ 18,330.00	$ 2,749.50	$ 21,079.50
B3010	Roof Covering	Elastomeric Membrane	2,600	SF	$ 3.57	$ 9,282.00	$ 1,392.30	$ 10,674.30
B3020	Roof Openings	Roof Hatches	2,600	SF	$ 1.01	$ 2,626.00	$ 393.90	$ 3,019.90

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	2,600	SF	$ 2.16	$ 5,616.00	$ 842.40	$ 6,458.40
C1020	Interior Doors	Hollow Metal Fire Doors	2,600	SF	$ 0.86	$ 2,236.00	$ 335.40	$ 2,571.40
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	2,600	SF	$ 4.32	$ 11,232.00	$ 1,684.80	$ 12,916.80
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	2,600	SF	$ 6.91	$ 17,971.20	$ 2,695.68	$ 20,666.88
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	2,600	SF	$ 2.41	$ 6,266.00	$ 939.90	$ 7,205.90
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	3,100	SF	$ 32.34	$ 100,254.00	$ 15,038.10	$ 115,292.10
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	2,600	SF	$ 5.39	$ 14,014.00	$ 2,102.10	$ 16,116.10
D2040	Rain Water Drainage	Roof Drains	2,600	SF	$ 0.51	$ 1,326.00	$ 198.90	$ 1,524.90
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	3,100	SF	$ 29.61	$ 91,791.00	$ 13,768.65	$ 105,559.65
D4020	Fire Protection	Standpipe and Hose System	3,100	SF	$ 1.95	$ 6,045.00	$ 906.75	$ 6,951.75
D4030	Fire Protection	Sprinklers	3,100	SF	$ 3.95	$ 12,245.00	$ 1,836.75	$ 14,081.75
D5010	Elect Service - Distrib	400 Amp Service, Panelboard, Feeders	3,100	SF	$ 8.58	$ 26,582.50	$ 3,987.38	$ 30,569.88
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	3,100	SF	$ 18.27	$ 56,637.00	$ 8,495.55	$ 65,132.55
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	3,100	SF	$ 8.86	$ 27,466.00	$ 4,119.90	$ 31,585.90
D5090	Emergency Backup	Emergency Generator and Transfer Switch	3,100	SF	$ 7.09	$ 21,979.00	$ 3,296.85	$ 25,275.85

					Mat,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	3,100	SF	$ 47.32	$ 146,692.00	$ 22,003.80	$ 168,695.80
E1030	ADA Requirements	ADA Requirements for Staff and inmates	3,100	SF	$ 9.00	$ 27,900.00	$ 4,185.00	$ 32,085.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	3,100	SF	$ 5.85	$ 18,135.00	$ 2,720.25	$ 20,855.25

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 5,028,193.78
Total Facility Soft Costs - Items 1 through Item 10						$ 1,990,010.23
1. Reserve Fund - 10% of Building Hard Cost						$ 303,818.36
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 243,054.69
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 212,672.85
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 182,291.01
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 45,572.75
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

Prepar [illegible] stimate
2, 2006

Fort Washakie, Wyoming

6. Pre-Construction Services			
6a. Design at Office	**18.00%**	$	546,873.04
Architectural Design	7.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**	$	75,954.59
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**	$	91,145.51
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction		$	60,763.67
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	182,291.01
Management Assistance during Construction - 6%			
8. M & I Government		$	15,190.92
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	15,190.92
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	15,190.92
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	3,038,183.55
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	588,035.53
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	2,450,148.03
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 2,450,148.03
	Demolition of Existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	6,000	SF	$ 22.58	$ 135,450.00	$ 20,317.50	$ 155,767.50
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	3,000	SF	$ 8.94	$ 26,820.00	$ 4,023.00	$ 30,843.00
B2030	Exterior Doors	Metal Doors	12,070	SF	$ 0.88	$ 10,621.60	$ 1,593.24	$ 12,214.84
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	1,000	SF	$ 2.16	$ 2,160.00	$ 324.00	$ 2,484.00
C1020	Interior Doors	Hollow Metal Fire Doors	6,000	SF	$ 0.86	$ 5,160.00	$ 774.00	$ 5,934.00
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	12,070	SF	$ 4.32	$ 52,142.40	$ 7,821.36	$ 59,963.76
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	6,000	SF	$ 6.91	$ 41,472.00	$ 6,220.80	$ 47,692.80
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	6,000	SF	$ 2.41	$ 14,460.00	$ 2,169.00	$ 16,629.00
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	12,070	SF	$ 32.34	$ 390,343.80	$ 58,551.57	$ 448,895.37
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	12,070	SF	$ 29.61	$ 357,392.70	$ 53,608.91	$ 411,001.61
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	0	SF	$ 3.95	$ -	$ -	$ -
D5010	Elect Service - Distrib	1600 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	12,070	SF	$ 18.27	$ 220,518.90	$ 33,077.84	$ 253,596.74
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	12,070	SF	$ 8.86	$ 106,940.20	$ 16,041.03	$ 122,981.23
D5090	Emergency Backup	Emergency Generator and Transfer Switch	6,000	SF	$ 0.65	$ 3,900.00	$ 585.00	$ 4,485.00

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	12,070	SF	$ 47.32	$ 571,152.40	$ 85,672.86	$ 656,825.26
E1030	ADA Requirements	ADA Requirements for Staff and inmates	12,070	SF	$ 9.00	$ 108,630.00	$ 16,294.50	$ 124,924.50
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	1,000	SF	$ 12.79	$ 12,790.00	$ 1,918.50	$ 14,708.50
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	12,070	SF	$ 5.85	$ 70,609.50	$ 10,591.43	$ 81,200.93

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 12,674,566.03
Total Facility Soft Costs - Items 1 through Item 10						$ 5,016,217.97
1. Reserve Fund - 10% of Building Hard Cost						$ 765,934.81
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b)						
1a Design Related Construction Contingency (5.0 % of Building Hard Cost)						
1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost						$ 612,667.84
From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						
3. Construction Contingency -7% of Building Hard Cost						$ 536,084.36
Construction Contingency during construction - 7.0 % of Building Hard Cost						
4. Location Factor - 6% of Building Hard Cost						$ 459,500.88
Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						
5. Time Factor						$ 114,875.22
Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						

6. Pre-Construction Services			
6a. Design at Office	**18.00%**		**$ 1,378,502.65**
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
6b. Site Investigations	**2.5%**		**$ 191,458.70**
Site Investigations	2.50%		
6c. Assistance prior to Construction	**3.00%**		**$ 229,750.44**
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
6d. Site Preparation, Demolition and Special Construction			**$ 153,166.96**
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance			**$ 459,500.88**
Management Assistance during Construction - 6%			
8. M & I Government			**$ 38,291.74**
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B			**$ 38,291.74**
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection			**$ 38,291.74**
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup			**$ 7,658,348.05**
General Contractor's Gen Cond, Bond, Overhead and Profit 22%			**$ 1,462,260.91**
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs Including Markup, from next page Special Structures			**$ 6,176,087.14**

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						$ 6,176,087.14
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	Substructure							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	10,515	SF	$ 92.50	$ 972,637.50	$ 145,895.63	$ 1,118,533.13
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	10,515	SF	$ 30.00	$ 315,450.00	$ 47,317.50	$ 362,767.50
B	Shell							
B1010	Structural Floors	Concrete slab with metal deck and beams	10,515	SF	$ 248.33	$ 2,611,137.38	$ 391,670.61	$ 3,002,807.98
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	10,515	SF	$ 10.22	$ 107,463.30	$ 16,119.50	$ 123,582.80
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	500	SF	$ 315.00	$ 157,500.00	$ 23,625.00	$ 181,125.00
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	0	SF	$ 3.57	$ -	$ -	$ -
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Mat,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.86	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	10,515	SF	$ 6.91	$ 72,679.68	$ 10,901.95	$ 83,581.63
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	10,515	SF	$ 14.70	$ 154,570.50	$ 23,185.58	$ 177,756.08
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	10,515	SF	$ 5.39	$ 56,675.85	$ 8,501.38	$ 65,177.23
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	10,515	SF	$ 29.61	$ 311,349.15	$ 46,702.37	$ 358,051.52
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	10,515	SF	$ 3.95	$ 41,534.25	$ 6,230.14	$ 47,764.39
D5010	Elect Service - Distrib	800 Amp Service, Panelboard, Feeders	10,515	SF	$ 3.43	$ 36,066.45	$ 5,409.97	$ 41,476.42
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	0	SF	$ 8.86	$ -	$ -	$ -
D5090	Emergency Backup	Emergency Generator and Transfer Switch	10,515	SF	$ 10.65	$ 111,984.75	$ 16,797.71	$ 128,782.46

					Mat/Labor/Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	4,850	SF	$ 47.32	$ 229,502.00	$ 34,425.30	$ 263,927.30
E1030	ADA Requirements	ADA Requirements for Staff and Inmates	10,515	SF	$ 9.00	$ 94,635.00	$ 14,195.25	$ 108,830.25
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	2,800	SF	$ 12.79	$ 35,812.00	$ 5,371.80	$ 41,183.80
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	10,515	SF	$ 5.85	$ 61,512.75	$ 9,226.91	$ 70,739.66

	Element					
			Matl, Labor, Equip			
	Quantity	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
Project Summary						
Project Total Cost - Total of Hard and Soft Costs						$ 1,206,357.65
Total Facility Soft Costs - Items 1 through Item 10						$ 477,440.64
1. Reserve Fund - 10% of Building Hard Cost						$ 72,891.70
1 Reserve Fund (Hold until construction midpoint - Items 1a thru 1b) 1a Design Related Construction Contingency (5.0 % of Building Hard Cost) 1b Hazardous Material Abatement Contingency (5.0 % of Building Hard Cost)						
2. Escalation - 8% of Building Hard Cost From August 2006 to August 2011 - Mid point of Construction - 8.0 % of Building Hard Cost						$ 58,313.36
3. Construction Contingency -7% of Building Hard Cost Construction Contingency during construction - 7.0 % of Building Hard Cost						$ 51,024.19
4. Location Factor - 6% of Building Hard Cost Special considerations for building activity at specific site - 6.0 % of Building Hard Cost						$ 43,735.02
5. Time Factor Special considerations for seasonal construction activity - 1.5% of Building Hard Cost						$ 10,933.76

5. Pre-Construction Services			
5a. Design at Office	18.00%	$	131,205.06
Architectural Design	2.75%		
Interior design	1.20%		
Civil Design	1.20%		
Structural Design	1.40%		
Mechanical Design	1.25%		
Electrical Design	1.25%		
Landscape Design	0.20%		
Specialty Security Design	1.25%		
Geotechnical Investigation	1.00%		
Structural Investigation	0.50%		
Hazardous Materials Consult/Investigation	1.00%		
5b. Site Investigations	2.5%	$	18,222.93
Site Investigations	2.50%		
5c. Assistance prior to Construction	3.00%	$	21,867.51
Estimating	2.00%		
Scheduling	0.70%		
Constructability Review	0.30%		
5d. Site Preparation, Demolition and Special Construction		$	14,578.34
Site Preparation - 2% of Building Hard Cost			
7. Construction Management Assistance		$	43,735.02
Management Assistance during Construction - 6%			
8. M & I Government		$	3,644.59
One-Half percent of Building Hard Cost			
9. D & C - Government PC&B		$	3,644.59
One-Half percent of Building Hard Cost			
10. D & C - Government Travel and Inspection		$	3,644.59
One-Half percent of Building Hard Cost			
Total Building Hard Cost incl Gen Contr. Markup		$	728,917.01
General Contractor's			
Gen Cond, Bond, Overhead and Profit 22%		$	141,080.71
Construction General Cond, Overhead and Profit - Total	24.0%		
Profit	10.00%		
Overhead	8.00%		
Insurance	1.25%		
Bond	2.40%		
General Conditions	2.30%		
Subcontractor's Costs		$	587,836.30
Including Markup, from next page			
Special Structures			

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
		Subcontractor Costs						**$ 587,836.30**
	Demolition of existing Work							
F1020		Demolition of existing	0	SF	$ 2.50	$ -	$ -	$ -
A	**Substructure**							
A1005	Excavation, Building	Excavation and Backfill, sand or gravel, 4 ft Deep	0	SF	$ 2.48	$ -	$ -	$ -
A1010	Foundation	Concrete Strip and Spread Footings, 4 ft Foundation wall	0	SF	$ 9.25	$ -	$ -	$ -
A1030	Slab on Grade	Reinforced Concrete, vapor barrier, base, 6 inch thick	0	SF	$ 3.00	$ -	$ -	$ -
B	**Shell**							
B1010	Structural Floors	Concrete slab with metal deck and beams	0	SF	$ 22.58	$ -	$ -	$ -
B2010	Exterior Walls	Face Brick with reinforced concrete block backup	0	SF	$ 10.22	$ -	$ -	$ -
B2020	Exterior Windows	Bullet Resistant and metal horizontal pivoted	0	SF	$ 315.00	$ -	$ -	$ -
B2030	Exterior Doors	Metal Doors	0	SF	$ 0.88	$ -	$ -	$ -
B3005	Roof Structure	Metal Deck on Steel Joists with Fill	0	SF	$ 7.05	$ -	$ -	$ -
B3010	Roof Covering	Elastomeric Membrane	8,800	SF	$ 7.14	$ 62,832.00	$ 9,424.80	$ 72,256.80
B3020	Roof Openings	Roof Hatches	0	SF	$ 0.01	$ -	$ -	$ -

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
C	Interiors							
C1010	Partitions	Concrete Block	0	SF	$ 2.16	$ -	$ -	$ -
C1020	Interior Doors	Hollow Metal Fire Doors	0	SF	$ 0.85	$ -	$ -	$ -
C2010	Stair Construction	Concrete Filled Metal Pan	0	SF	$ 2.12	$ -	$ -	$ -
C3010	Wall Finishes	Paint - 2 coats, 2 sides	0	SF	$ 4.32	$ -	$ -	$ -
C3020	Floor Finishes	70% Vinyl Comp Tile, 20% Carpet, 10% Ceramic Tile	0	SF	$ 5.91	$ -	$ -	$ -
C3030	Ceiling Finishes	Mineral Tile on Zee Runners	0	SF	$ 2.41	$ -	$ -	$ -
D	Services							
D2010	Plumbing Fixtures	Toilet and Service Fixtures, Supply and Drainage	2,500	SF	$ 32.34	$ 80,850.00	$ 12,127.50	$ 92,977.50
D2020	Domestic Water Distrib	Electric Water Heater, Water Softner System	0	SF	$ 5.39	$ -	$ -	$ -
D2040	Rain Water Drainage	Roof Drains	0	SF	$ 0.51	$ -	$ -	$ -
D3050	Term and Pkg HVAC	Rooftop, Multizone Unit Systems, Ductwork	0	SF	$ 29.61	$ -	$ -	$ -
D4020	Fire Protection	Standpipe and Hose System	0	SF	$ 0.39	$ -	$ -	$ -
D4030	Fire Protection	Sprinklers	8,800	SF	$ 3.95	$ 34,760.00	$ 5,214.00	$ 39,974.00
D5010	Elect Service - Distrib	800 Amp Service, Panelboard, Feeders	0	SF	$ 3.43	$ -	$ -	$ -
D5020	Lighting and Power	Fluorescent Fixtures, Receptacles, Switches and power	0	SF	$ 18.27	$ -	$ -	$ -
D5030	Comm and Security	Alarm System, Intercom and Emergency Lighting	4,000	SF	$ 8.86	$ 35,440.00	$ 5,316.00	$ 40,756.00
D5090	Emergency Backup	Emergency Generator and Transfer Switch	8,800	SF	$ 8.65	$ 76,120.00	$ 11,418.00	$ 87,538.00

					Matl,Labor,Equip			
	Component	Description of Element	Qty	Unit	Rate	MLECost	Subs O & P	Total Subs Cost
E	Specialties							
E1020	Specialty Equipment	Ancillary Equipment	3,000	SF	$ 47.32	$ 141,960.00	$ 21,294.00	$ 163,254.00
E1030	ADA Requirements	ADA Requirements for Staff and inmates	8,800	SF	$ 9.00	$ 79,200.00	$ 11,880.00	$ 91,080.00
E1040	Kitchen/Dining	Stainless Steel Kitchen/Food Servie Equipment	0	SF	$ 6.55	$ -	$ -	$ -
F	Special Construction							
F1010	Hazardous Abatement	Asbestos, Lead or Mold Abatement	0	SF	$ 5.85	$ -	$ -	$ -

Appendix N

Composite Capital Costs Requirements

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

The details are noted on the pages that follow. The summary requirement is noted below:

Total Capital Cost for Deferred Repairs and Maintenance of Existing Facilities	$ 223,958,912
Total Initial Capital Costs for Replacement Facilities over 10 years	$ 7,982,449,025
Total Facility Operations & Maintenance over 40 years	$ 5,240,564,400
Total Program Operations over 40 years	$ 33,619,737,120
Total Ownership Costs Requirements – TOC, over 40 years	**$ 47,066,709,457**

A summary analysis of the composite cost is shown on the next page. A detailed cost analysis follows which provides a breakdown by the requirements throughout the Indian Country in Continental United States and Alaska. Following the detailed breakdown are the national maps that depict the locations that are noted in the detailed breakdown.

Appendix N – Composite Capital Costs Requirements

Summary of Costs
Initial Capital Costs 2007 – 2017
Facility and Program Operations Capital Costs 2011 – 2051

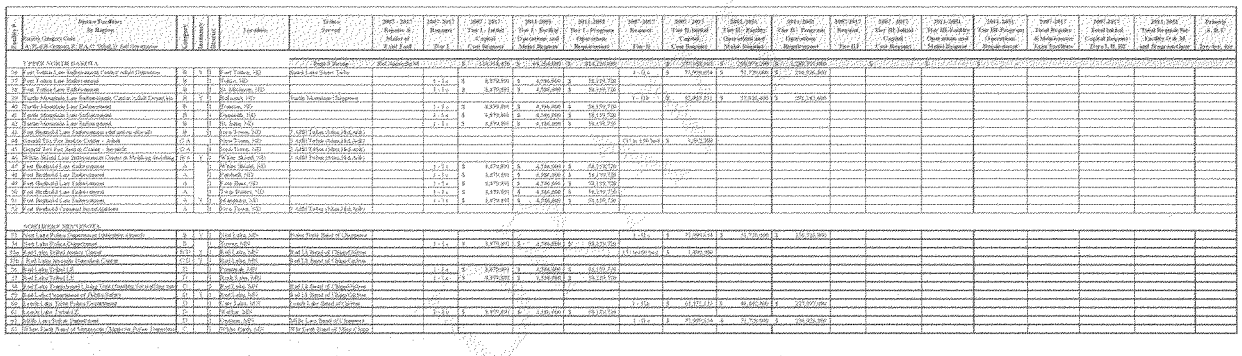
1) **Total Deferred Repairs and Maintenance over 10 years**		**$ 223,958,912**
Refer to Appendices J, J1, J2, L, M, M1, M2, M3		
Inventory 43 facilities and Non-Inventory 33 facilities		
2) **Total Initial Capital Costs over 10 years**		**$ 7,982,449,025**
Refer to Appendices I, L, L1 and L2		
Tier I (167 facilities)	$ 1,471,983,131	
Tier II and Capacity Upgrade (80 and 15 facilities)	$ 5,272,299,005	
Tier III (16 facilities)	$ 1,238,166,889	
3) **Total Facility Operations and Maintenance over 40 years**		**$ 5,240,564,400**
Refer to Appendices J, J1, J2		
Tier I (167 facilities)	$ 755,406,000	
Tier II and Capacity Upgrade (80 and 15 facilities)	$ 3,681,774,400	
Tier III (16 facilities)	$ 803,384,000	
4) **Total Program Operations over 40 years**		**$ 33,619,737,120**
Refer to Appendices K, L, L1		
Tier I (167 facilities)	$ 9,640,899,040	
Tier II and Capacity Upgrade (80 and 15 facilities)	$ 18,159,453,560	
Tier III (16 facilities)	$ 5,819,384,520	
Total Capital Cost Requirements		**$ 47,066,709,457**
Sum of items 1), 2), 3) and 4) above		
Refer to Appendix N		

All Costs are based on 2011 Dollar costs
All Costs are limited to an annual inflation escalation of 4% per year from 2007 through 2011

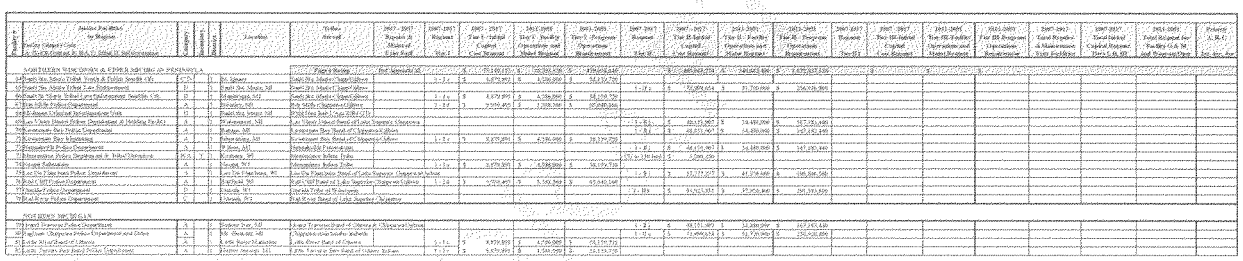
Unit Capital Costs Summary

Initial Capital Requirements, Annual Facility Operations/Facility Maintenance (OFMC) Requirements
and Annual Facility Program Operations (OLES) Requirements

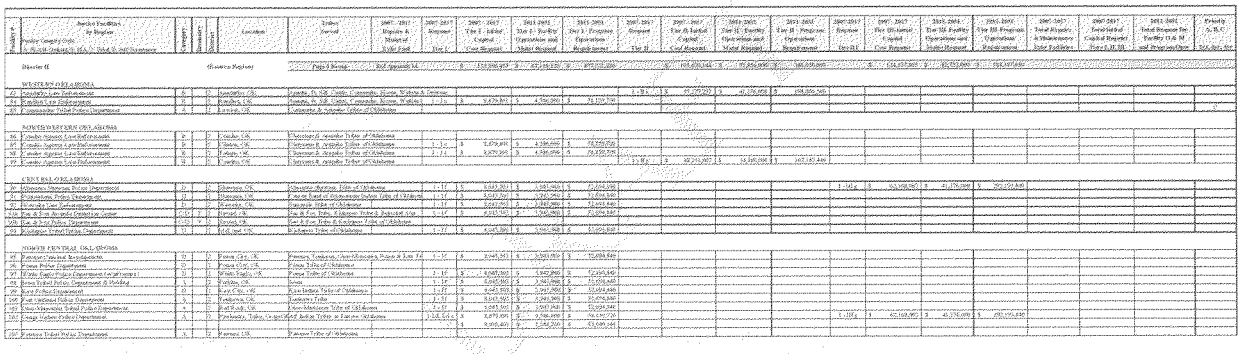
Facility Type Number	Facility Type	Enclosed Area Sq. Foot	Initial Capital Outlay Cost Ten years 2007 - 2017 Requirement by Facility Type	Expenditure 2011-2051 for 40 year building life Annual OFMC Facility Operations and Facility Maintenance Requirement	Expenditure 2011-2051 for 40 year building life Annual OLES Facility Program Operations Requirements
	Based on specific needs at specific locations to meet law enforcement functions projected for year 2017	Based on Specific needs to meet specific law enforcement functions projected for year 2017	Refer to Initial Capital Cost Details in Appendix L, Column L	Based on actual OFMC data Refer to Facility Operations and Maintenance details in Appendix J Facility O & M Costs and Facility O & M Costs Analysis Tier I $22.93 / SF Tiers II and III $17.24 / SF All annual costs are based on year 2011.	Based on percentage of initial Capital Cost of facility. Tier I = 17.67% Tier II = 8.68% Tier III = 11.75% Refer to Program Operations details in Appendix K. All annual costs are based on year 2011.
			Unit Cost	Unit Cost	Unit Cost
1	Tier I c Total of 130	5000	$ 8,879,891	$ 114,650	$ 1,453,993
2	Tier I d Total of 8	5875	$ 9,930,403	$ 134,714	$ 1,626,004
3	Tier I e Total of 2	6300	$ 11,302,512	$ 144,459	$ 1,850,673
4	Tier I f Total of 20	4300	$ 8,045,503	$ 98,599	$ 1,317,371
5	Tier I g Total of 7	4000	$ 7,805,569	$ 91,720	$ 1,278,084
	Total Tier I 167 Replacement Facilities		Total Initial Capital Cost over the 10 year transition $ 1,471,983,131	Total Facility O & M Costs over the 40 year building life $ 755,406,000	Total Program Operations Cost over the 40 year building life $ 9,640,899,040
			Unit Cost	Unit Cost	Unit Cost
6	Tier II c Total of 25	75,000	$ 73,999,654	$ 1,293,000	$ 6,423,170
7	Tier II h Total of 19	68,000	$ 65,552,153	$ 1,172,320	$ 5,689,927
8	Tier II i Total of 3	60,000	$ 57,277,237	$ 1,034,400	$ 4,971,664
9	Tier II j Total of 14	50,000	$ 48,151,907	$ 862,000	$ 4,179,586
10	Tier II k Total of 13	84,000	$ 83,923,851	$ 1,448,160	$ 7,284,590
11	Tier II l Total of 5	25,000	$ 24,761,383	$ 431,000	$ 2,149,288
	Total Tier II 80 Replacement Facilities		Total Initial Capital Cost over the 10 year transition $ 5,272,299,005	Total Facility O & M Costs over the 40 year building life $ 3,681,774,400	Total Program Operations Cost over the 40 year building life $ 18,159,453,360
			Unit Cost	Unit Cost	Unit Cost
12	Tier III c Total of 11	75,000	$ 80,110,746	$ 1,293,000	$ 9,413,013
13	Tier III f Total of 2	80,000	$ 85,220,989	$ 1,379,200	$ 10,013,466
14	Tier III g Total of 3	60,000	$ 62,168,903	$ 1,034,400	$ 7,304,846
	Total Tier III 16 Replacement Facilities		Total Initial Capital Cost over the 10 year transition $ 1,238,166,889	Total Facility O & M Costs over the 40 year building life $ 803,384,000	Total Program Operations Cost over the 40 year building life $ 5,819,384,520
Initial Capital Requirement for a Total of Tier I, Tier II and Tier III for 263 planned replacement facilities is noted above. Additionally Capacity Upgrade CU from 10 beds up to 199 beds at 15 existing facilities at $31, 950 per bed is needed. In addition to the initial capital requirements, Deferred Maintenance costs of $ 223,958,912, Appendix M, for existing 76 facilities are needed, phased out over 10 years from 2007 to 2017					



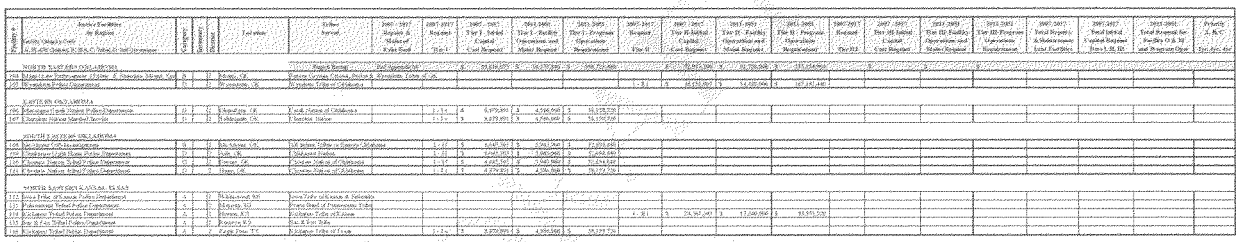
Facility #	Facility Category Code (A=Public Campus; B=A.C. Middle; C=Self-Contained)	Name or Description By Region	Contiguous	Permanent	Portable	Jurisdiction	Status Served	2007 - 2017 Projects & Major of Work Done	2007 - 2017 Requires Tier I	2007 / 2017 Tier I - Initial Capital Cost Request	2011-2022 Tier I - Facility Expansion and Major Program	2011-2022 Tier I - Program Improvements	2007-2017 Request Tier II	2007 - 2017 Tier II Initial Capital / Cost Request	2011-2021 Tier III - Facility Construction and Major Program	2011-2021 Tier III - Program Improvements	2007-2017 Request Tier III	2007 - 2017 Tier III Initial Capital Cost Request	2011-2021 Tier III Facility Construction and Major Program	2011-2021 Tier III Program Improvements	2007 - 2017 Total Request & Maintenance Yards Facilities	2007-2017 Total Initial Capital Request Tiers I, II, III	2011-2022 Total Request for Facility Cost & Maintenance and Program Cost	Remarks (i, ii, iii)	Portable Yes, No, Not
TYPE NOTE EXAMPLE								Total Projects	Not Applicable	$ 119,918,878	$ 44,564,860	$ 84,120,000		$ 77,000,000	$ 108,976,000	$ 1,200,000,000								
36	Fort Vallen Low Enforcement Center Addition/Expansion	B	Y	N		Fort Vallen, NM	Rural Lake Shore Valley																	
37	Fort Vallen Low Enforcement	B		N		Vallen, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
38	Fort Vallen Law Enforcement	B		N		Ft. Middletown, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
39	Pueblo Mountains Law Enforcement Center (Adult Detention)	A	Y	Y		Redondo, NM	Pueblo Mountains Department						Y - 119		$ 67,000,000	$ 77,000,000	$ 77,000,000	$ 291,541,000						
40	Pueblo Mountains Law Enforcement	B		N		Francisco, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
41	Pueblo Mountains Law Enforcement	B		N		Crescendo, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
42	Pueblo Mountains Law Enforcement	B		N		Mt. Baker, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
43	Fort Redmond Law Enforcement (detention center)	B		N		Fort Vallen, NM	* NEW Fallen Valley Jail, 4-5																	
44	Emerald City Fire Medical Complex - Admin	C-A		Y		Fort Vallen, NM	* NEW Fallen Valley Jail, 4-5						Cit'y - 1 Mil Bond	$ 9,000,000										
45	Emerald City Fire Medical Complex - Ambulance	C-A		Y		Fort Vallen, NM	* NEW Fallen Valley Jail, 4-5																	
46	Police Shield Law Enforcement Center & Multi-use Building	B-A	Y	Y		Mt. Vale Shield, NM	* NEW Police Station, 4-5, 4-6																	
47	Fort Redmond Law Enforcement	A		Y		Mt. Vale Shield, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
48	Fort Redmond Law Enforcement	A		Y		Redmond, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
49	Fort Redmond Law Enforcement	A		Y		Lake Shore, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
50	Fort Redmond Law Enforcement	A		Y		Pueblo Shores, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
51	Fort Redmond Law Enforcement	A	Y	N		Washington, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
52	Fort Redmond Seasonal Incarceration	A		N		Fort Vallen, NM	* NEW Fallen Valley Jail, 5-6																	
	NON-MAJOR RENOVATIONS																							
53	Rural Lake Police Department Operations Support	B		N		Rural Lake, NM	Rural Police Station Renovations						1 - 10 a	$ 17,000,000	$ 17,000,000	$ 170,000,000								
54	Rural Lake Police Department	B		N		Shoreline, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
55a	Rural Lake Police Academy Classes	B-M	Y	N		Rural Lake, NM	Rural LS Board of Chiefs/Police						1 (Classroom)	$ 1,000,000										
55b	Rural Lake Advanced Operations Center	C-M	Y	N		Rural Lake, NM	Rural LS Board of Chiefs/Police																	
56	Rural Lake Tribal LE	B		N		Tribal Lands, NM	Tribal Lands Board of Chiefs/Police		1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
57	Rural Lake Tribal LE	B		N		Rural Lake, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
58	Rural Lake Department Long Term Feasibility Study/Plan	C		Y		Rural Lake, NM	Rural LS Board of Chiefs/Police																	
59	Rural Lake Department of Public Safety	B	Y	N		Rural Lake, NM	Rural LS Board of Chiefs/Police																	
60	Lincoln Lake Tribal Police Department	B		N		Lincoln Lake, NM	Lincoln Lake Board of Chiefs						1 - 10 a	$ 17,000,000	$ 80,000,000	$ 250,000,000								
61	Lincoln Lake Tribal LE	B		N		Whallye, NM			1 - 5 a	$ 8,870,891	$ 4,786,000	$ 28,120,720												
62	Pueblo Law Enforcement	B		N		Pueblo, NM	Pueblo Lake Board of Supervis						1 - 10 a	$ 17,000,000	$ 74,750,000	$ 250,000,000								
63	Tribal Lands Board of Supervisors Children Police Department	C		N		Pueblo Lands, NM	Tribal Lands Board of Chiefs/Supp																	



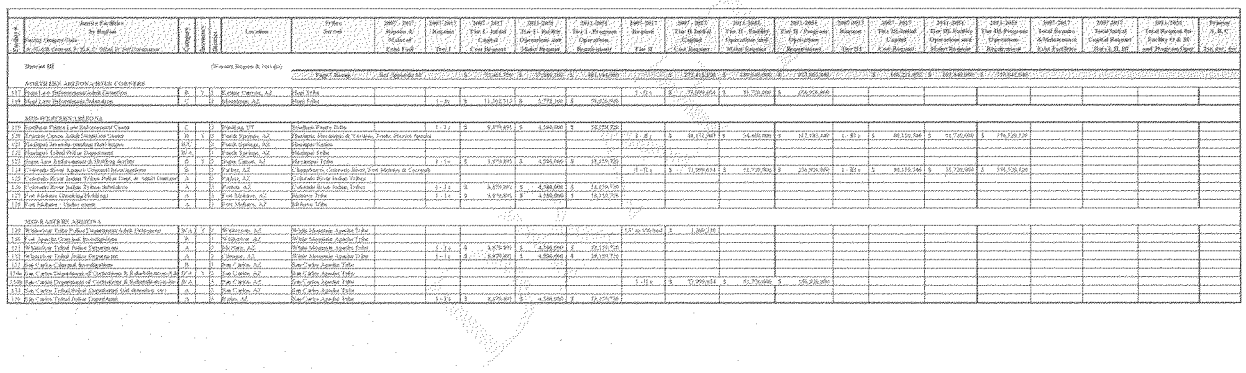
Project #	Facility Name / Code Ex: Fire/EMS Station #1, Mill Creek, Tribal Administration	Category A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z	Replacement Y or N	Priority 1, 2, 3	Location	Tribe Served	2007 - 2017 Repairs & Maintenance of Existing Facility	2007 - 2017 Renewal Year 1	2007 - 2017 Tier 1 - Critical Capital Cost Requirement	2007-2017 Tier 1 - Facility Expansion and Major Renewal	2007-2017 Tier 1 - Program Operations - Requirement	2007-2017 Program Year 1	2007 - 2017 Tier II Capital Cost Requirement	2007-2017 Tier II - Facility Operations and Major Renewal	2007-2017 Tier II - Program Operations Requirement	2007-2017 Program Year 11	2007 - 2017 Tier III Capital Cost Requirement	2007-2017 Tier III - Facility Operations and Major Renewal	2007-2017 Tier III - Program Operations Requirement	2007-2017 Total Capital & Maintenance Total Facilities	2007-2017 Total Capital Expense Years 1-5 & 11	2014-2026 Total Request for Facility O & M and Renewal Costs	Percent A, B, C
	ACQUISITION, NEW CONSTR. & REPAIR & IMPROVE OF PERMANENT A					Pagaru Group	Bad Moccasin, ND	$	753,000,000	$	100,000,000	$	470,000,000	$	660,000,000	$	940,000,000	$	2,673,000,000	$	-	$	-	$	-
1	Fourth Nw. Mexico Tribal Trade & Public Service Ctr.	C, D, I	Y	1	Mt. Silvery	Eagle Nw. Mexico Chippe Ojibwe		1 - 7 +	$	5,670,000	$	1,134,000	$	54,432,000													
10	Fourth Nw. Mexico Tribal Trade Establishment	E	Y	1	Fourth Nw. Mexico, NM	Fourth Nw. Mexico Chippe Ojibwe						1 - 11 +	$	150,000,000	$	21,750,000	$	216,000,000						
66	Fourth Nw. Mexico Tribal Law Enforcement Training Ctr.	D	Y	1	Mescalero, NM	Fourth Nw. Mexico Chippe Ojibwe		1 - 11 +	$	5,670,000	$	1,134,000	$	68,250,000											
67	Elm Valley Police Department	A	Y	1	Pinckney, MI	Elm Valley Chippewa Ojibwe		1 - 11 +	$	2,205,000	$	1,008,000	$	37,800,000											
68	Fourth Nation Criminal Investigative Unit	D	Y	1	Fourth Nw. Mexico, NM	Fourth Nw. Mexico Chippe Ojibwe																		
69	Lac Vieux Desert Tribe Declaration of Hunting Rights Act	A	Y	1	Watersmeet, MI	Lac Vieux Desert Band of Lake Superior Chippewa						1 - 11 +	$	80,175,000	$	24,450,000	$	567,720,000						
70	Watersmeet Police Department	E, A	Y	1	Watersmeet, MI	Lac Vieux Desert Band of Lake Superior Chippewa						1 - 11 +	$	48,675,000	$	14,850,000	$	345,240,000						
71	Ketchikan Bay Marketing	A	Y	1	Ketchikan, AK	Ketchikan Bay Band of Chippewa Ojibwe		1 - 7 +	$	5,670,000	$	1,134,000	$	79,177,500											
72	Ketchikan Police Department	H, I	Y	1	Ft. Bragg, MO	Ketchikan Bay Band						1 - 11 +	$	48,675,000	$	14,850,000	$	345,240,000						
73	Intermediate Police Department for Tribal Operations	H, I	Y	1	Pinckney, MI	Intermediate Indian Tribe						1 - 11 +	$	48,675,000	$	14,850,000	$	345,240,000						
74	Escape Enterprises	A	Y	1	Escape, NY	Intermediate Indian Tribe		1 - 7 +	$	5,670,000	$	1,134,000	$	56,109,750											
75	Lac Du Flambeau Police Department	A	Y	1	Lac Du Flambeau, WI	Lac Du Flambeau Band of Lake Superior Chippewa Indians						1 - 11 +	$	37,125,000	$	11,250,000	$	196,560,000						
76	Public Safety Department	A	Y	1	Hartford, MI	Public Safety Band of Lake Superior Chippewa Ojibwe		1 - 11 +	$	2,205,000	$	1,008,000	$	45,045,000											
77	Chandler Police Department	D	Y	1	Chandler, AZ	Cherokee Tribe of Oklahoma						1 - 11 +	$	94,500,000	$	27,000,000	$	291,960,000						
78	Red River Police Department	C	Y	1	Orlando, FL	Red River Band of Lake Superior Chippewa																		
	ACQUISITION, NEW CONSTR. & REPAIR & IMPROVE OF PERMANENT A																							
79	Inland Traverse Police Department	A	Y	1	Traverse Town, MI	Grand Traverse Band of Ottawa & Chippewa Indians						1 - 11 +	$	48,375,000	$	12,600,000	$	167,940,000						
80	Ingham Chippewa Police Department and Others	A	Y	1	Mt. Pleasant, MI	Chippewa Cree Indian Reserve						1 - 11 +	$	72,900,000	$	61,920,000	$	250,920,000						
81	Little River Band of Ottawa	A	Y	1	Little River, MI	Little River Band of Ottawa		1 - 11 +	$	4,972,500	$	4,725,000	$	75,150,750											
82	Leelanau Tribes Area Band Police Department	A	Y	1	Traverse Town, MI	Grand Traverse Band of Ottawa & Chippewa Indians		1 - 7 +	$	5,670,000	$	1,134,000	$	54,432,000											



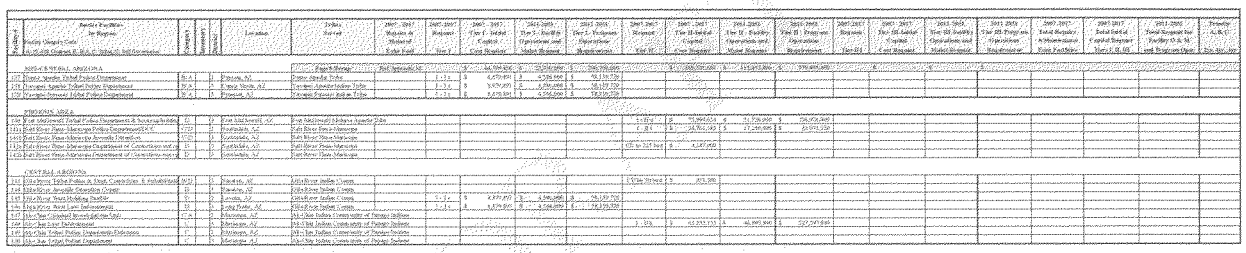
Facility #	Service Facilities by Region Facility Category Code: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z	Category	Service Area	Location	Tribes Served	2007 - 2017 Upgrade & Modernization Site Code	2007 - 2017 Amount	2007 - 2017 Tier I - Initial Capital Cost Request	2013 - 2021 Tier I - Facility Operation and Maint Request	2015 - 2021 Tier I - Program Operations Requirement	2007 - 2017 Request Tier II	2007 - 2017 Tier II Initial Capital Cost Request	2013 - 2021 Tier II - Facility Operation and Maint Request	2015 - 2021 Tier II - Program Operations Requirement	2007 - 2017 Request Tier III	2007 - 2017 Tier III Initial Capital Cost Request	2013 - 2021 Tier III Facility Operation and Maint Request	2015 - 2021 Tier III Program Operations Requirement	2007 - 2017 Total Security & Maintenance Solar Facilities	2007-2017 Total Initial Capital Request Tiers I, II, III	2013 - 2021 Total Request for Facility O & M and Program Ops	Priority 1, 2, 3
	Director II		Service Region		Tribes Served	Total Amounts for Each Column		$ 153,000,000	$ 67,140,000	$ 67,140,000		$ 108,000,000	$ 47,400,000	$ 47,400,000		$ 104,000,000	$ 45,600,000	$ 45,600,000				
	WESTERN OKLAHOMA																					
43	Caddo/Wichita Law Enforcement	K	O	Caddo, OK	Caddo, Ft. Sill Apache, Comanche, Kiowa, Wichita & Delaware						1 - IV	$ 97,000,000	$ 42,570,000	$ 42,570,000								
44	Kiowa/Custer Law Enforcement	H	O	Kiowa, OK	Caddo, Ft. Sill Apache, Comanche, Kiowa, Wichita & Delaware	1 - 15	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
45	Comanche Tribal Police Department	K	O	Lawton, OK	Comanche, Kiowa & Apache Tribes of Oklahoma																	
	NORTHWESTERN OKLAHOMA																					
46	Cimarron Nations Law Enforcement	K	O	Concho, OK	Cheyenne & Arapaho Tribes of Oklahoma																	
47	Canadian Agency Law Enforcement	K	O	Clinton, OK	Cheyenne & Arapaho Tribes of Oklahoma	1 - 15	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
48	Concho Agency Law Enforcement	K	O	Calumet, OK	Cheyenne & Arapaho Tribes of Oklahoma	2 - 14	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
49	Kiowa Agency Law Enforcement	H	O	Carnegie, OK	Cheyenne & Arapaho Tribes of Oklahoma						1 - IV	$ 97,000,000	$ 42,570,000	$ 42,570,000								
											2 - III	$ 56,000,000	$ 24,600,000	$ 24,600,000								
	SOUTHWESTERN OKLAHOMA																					
50	Comanche Nations Law Enforcement	H	O	Lawton, OK	Comanche, Kiowa & Apache Tribes of Oklahoma	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000					1 - III	$ 63,000,000	$ 27,630,000	$ 27,630,000				
51	Fort Sill Apache Police Department	H	O	Lawton, OK	Comanche, Kiowa & Apache Tribes of Oklahoma	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
52	Anadarko Police Department	H	O	Anadarko, OK	Caddo, Delaware, Wichita & Affiliated Tribes	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
53	Apache Police Department	H	O	Apache, OK	Comanche, Kiowa & Apache Tribes of Oklahoma	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
54	Fort Cobb Law Enforcement	H	O	Fort Cobb, OK	Caddo, Delaware, Wichita & Affiliated Tribes	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
55	Riverside Law Enforcement	H	O	Riverside, OK	Comanche Nation of Oklahoma	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
56	Fire & Rescue Academy Training Center	Civil	O	Fort Cobb, OK	Caddo, Delaware, Wichita & Affiliated Tribes	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
57	Fire & Rescue Police Department	Civil	O	Lawton, OK	Comanche, Kiowa & Apache Tribes of Oklahoma																	
58	Kiowa Agency Fire Department	K	O	Carnegie, OK	Kiowa Tribe of Oklahoma	1 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000												
	NORTH CENTRAL OKLAHOMA																					
59	Pawnee Tribal Investigations	D	O	Pawnee, OK	Pawnee, Tonkawa, Otoe-Missouria, Ponca & Kaw Tribes	1 - 17	$ 5,040,000	$ 4,032,000	$ 4,032,000	$ 72,000,000												
60	Ponca Police Department	D	O	Ponca City, OK	Ponca Tribe of Oklahoma																	
61	Pawnee Agency Police Department (Corrections)	D	O	White Eagle, OK	Ponca Tribe of Oklahoma	2 - 16	$ 5,040,000	$ 4,032,000	$ 4,032,000	$ 72,000,000												
62	Otoe-Tribal Police Department & Building	K	O	Perkins, OK	Otoe-Missouria Tribe of Oklahoma	1 - 17	$ 5,040,000	$ 4,032,000	$ 4,032,000	$ 72,000,000												
63	Red Rock Police Department	D	O	Red Rock, OK	Kaw Nation Tribe of Oklahoma	1 - 17	$ 5,040,000	$ 4,032,000	$ 4,032,000	$ 72,000,000												
64	Kaw Nation Police Department	K	O	Kaw City, OK	Kaw Nation Tribe of Oklahoma	1 - 17	$ 5,040,000	$ 4,032,000	$ 4,032,000	$ 72,000,000												
65	Osage Nation Police Department	A	O	Pawhuska, Tulsa, Osage Hills & Indian Tribes in Eastern Oklahoma		1 - 14, 16 - 17	$ 5,670,000	$ 4,536,000	$ 4,536,000	$ 76,230,000					1 - III	$ 63,000,000	$ 27,630,000	$ 27,630,000				
						15	$ 630,000	$ 504,000	$ 504,000	$ 8,470,000												
66	Pawnee Tribal Police Department	K	O	Pawnee, OK	Pawnee Tribe of Oklahoma																	



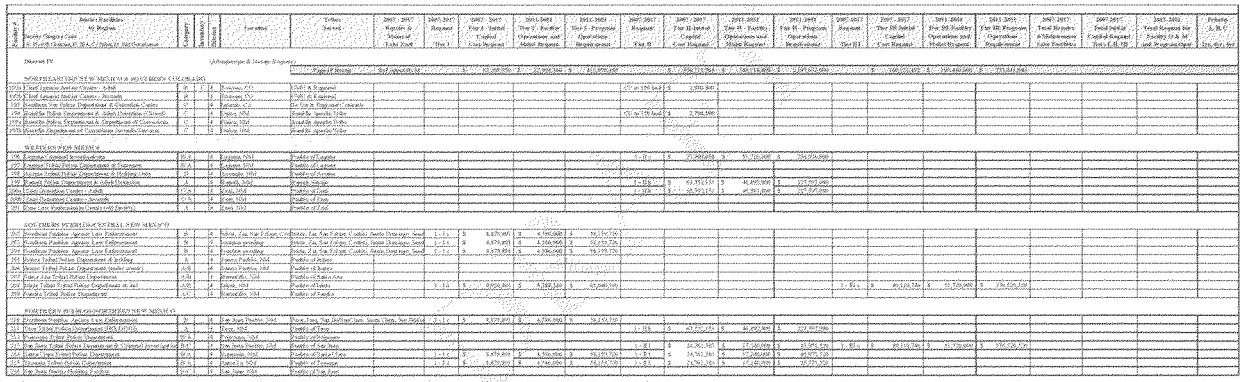
Facility #	Justice Facilities by Region Facility Owner's Code A, B, AK, Oklahoma, R, BIA, O, Tribal, O, Non-Operational	Congress	Senate	Tribe/State	Facility Name	2007 - 2017 Repairs & Maint of Exist Facil	2007 - 2017 Tier I - Subtot	2007 - 2017 Tier I - Subtot Capital Requested	2007 - 2017 Tier I - Facilities Operations and Maint Required	2007 - 2017 Tier I - Program Operations Requirement	2007 - 2017 Tier II	2007 - 2017 Tier II Subtot Capital Requested	2007 - 2017 Tier II - Facility Operations and Maint Required	2007 - 2017 Tier II - Program Operations Requirement	2007 - 2017 Tier III	2007 - 2017 Tier III Subtot Capital Requested	2007 - 2017 Tier III Facility Operations and Maint Required	2007 - 2017 Tier III Program Operations Requirement	2007 - 2017 Total Property & Maintenance Total Facilities	2007 - 2017 Total Subtot Capital Required from I, II, III	2007 - 2017 Total Required for Facility O & M and Program Ops	Priority A, B, C
	NORTH EASTERN OKLAHOMA				Region Totals:	Total Appendix N1		$ 30,810,000	$ 6,570,000	$ 966,750,000		$ 30,945,000	$ 30,750,000	$ 135,454,000		$ -	$ -	$ -				
168	Miami Police Department	A	2	Miami, OK	Miami Indian Tribe of Oklahoma																	
169	Muscogee Police Department	A	2	Muscogee, OK	Muscogee Tribe of Oklahoma						3	$ 15,945,000	$ 14,000,000	$ 107,487,000								
	SOUTH EASTERN OKLAHOMA																					
196	Muscogee Creek Nation Police Department	2	2	Okmulgee, OK	Creek Nation of Oklahoma	1 - 14	4	$ 9,975,000	$ 4,596,000	$ 18,375,000												
197	Cherokee Nation Marshal Service	2	2	Tahlequah, OK	Cherokee Nation	1 - 5	3	$ 9,975,000	$ 4,596,000	$ 18,375,000												
	SOUTH EASTERN OKLAHOMA																					
168	Choctaw Police Department	B	2	Durant, OK	Choctaw Nation of Oklahoma	1 - 17	5	$ 6,645,000	$ 3,063,000	$ 12,250,000												
169	Chickasaw Lighthorse Police Department	B	2	Ada, OK	Chickasaw Nation	1 - 11	5	$ 6,645,000	$ 3,063,000	$ 12,250,000												
170	Choctaw Nation Tribal Police Department	B	2	Durant, OK	Choctaw Nation of Oklahoma	1 - 17	5	$ 6,645,000	$ 3,063,000	$ 12,250,000												
171	Cherokee Nation Tribal Police Department	B	2	Tahlequah, OK	Cherokee Nation of Oklahoma	1 - 11	5	$ 6,975,000	$ 4,596,000	$ 18,375,000												
	WESTERN OKLAHOMA, TEXAS																					
122	Anadarko Police Department	A	2	Anadarko, OK	Caddo Tribe of Oklahoma																	
123	Cheyenne Tribal Police Department	A	2	Clinton, OK	Cheyenne and Arapaho Tribes																	
124	Kiowa Tribal Police Department	A	2	Carnegie, OK	Kiowa Tribe of Oklahoma																	
125	Comanche Tribal Police Department	A	2	Lawton, OK	Comanche Nation, Oklahoma																	
126	Fort Sill Apache Tribal Police Department	A	2	Apache, OK	Fort Sill Apache Tribe																	
127	Wichita Tribal Police Department	A	2	Anadarko, OK	Wichita Tribe																	
128	Absentee Shawnee Tribal Police Department	A	2	Shawnee, OK	Absentee Shawnee Tribe of Indians of Oklahoma																	
129	Citizen Potawatomi Nation Police Department	A	2	Shawnee, OK	Citizen Potawatomi Nation																	
130	Iowa Tribe of Oklahoma Police Department	A	2	Perkins, OK	Iowa Tribe of Oklahoma																	
131	Pawnee Nation Tribal Police Department	A	2	Pawnee, OK	Pawnee Nation of Oklahoma																	
132	Ponca Tribal Police Department	A	2	Ponca City, OK	Ponca Tribe of Oklahoma																	
133	Sac & Fox Tribal Police Department	A	2	Stroud, OK	Sac & Fox Tribe of the Mississippi in Iowa																	
134	Kickapoo Tribal Police Department	A	2	Horton, KS	Kickapoo Tribe of Kansas						1 - 3	$ 24,187,500	$ 17,500,000	$ 93,531,250								
135	Prairie Band Potawatomi Police Department	A	2	Mayetta, KS	Prairie Band of Potawatomi Indians																	
136	Kickapoo Tribal Police Department	A	2	Kickapoo, TX	Kickapoo Tribe of Texas	1 - 2	13	$ 9,975,000	$ 4,596,000	$ 18,375,000												



Project #	Service Facilities by Region Facility Category Code (See Guide Manual, Table 3-1, Column 3, for Code Definitions)	Category	Remodel/ Expansion	Status	Location	Tribes Served	2007 - 2017 Requires & Maintain Tribal Funds	Year 1 2017 Assigned Year 1	2007 - 2017 Tier 1 - Initial Capital Cost Requirement	2013-2019 Tier 1 - Facility Operations and Maint Requirement	2013-2019 Tier 1 - Program Operations Requirement	Year 11 2017 Assigned Year 11	2007 - 2027 Tier II Facility Capital Cost Requirement	2013-2033 Tier II - Facility Operations and Maint Requirement	2013-2033 Tier II - Program Operations Requirement	Year 11 2017 Assigned Year 11	2007 - 2027 Tier III Initial Capital Cost Requirement	2013-2033 Tier III Facility Operations and Maint Requirement	2013-2033 Tier III Program Operations Requirement	2007-2017 Total Repairs & Maintenance Total Funding	2007-2017 Total Initial Capital Requirement Total I, II, III	2013-2033 Total Required for Facility O & M and Program Oper	Property A, B, C Sub-Area
Planned SE						(Program Requires & Provides)	Page # Survey	See Appendix SE	$	$ 25,441,750	$ 57,999,000	$ 681,144,000		$ 222,413,000	$ 1,207,440,000	$ 903,965,000		$ 666,321,000	$ 1,007,440,000	$ 733,647,000				
ANTELOPE AREA/NAVAJO COUNTIES																							
117	Flood Law Enforcement Joint Detention	B	1	1	Kayenta Chinle, AZ	Navajo Tribe																	
118	Tribal Law Enforcement Substations	C	1	2	Klagetoh, AZ	Navajo Tribe		1 - 21	$ 11,263,750	$ 5,772,000	$ 79,632,000												
MOHAVE/YAVAPAI AREA/NA																							
119	Southern Paiute Law Enforcement Center	C	1	2	Pinesing, UT	Southern Paiute Tribe		1 - 11	$ 8,975,000	$ 4,340,000	$ 59,224,000												
120	Yavapai-Apache Adult Detention Center	B	1	2	Camp Verde, AZ	Yavapai, Hualapai & Navajo, Trade Shows Agency							1 - 81	$ 46,172,000	$ 54,480,000	$ 127,100,000	1 - 81	$ 46,172,000	$ 71,760,000	$ 196,200,000			
121	Yavapai Juvenile Detention Facilities	B/C	1	2	Camp Verde, AZ	Yavapai Nation																	
122	Hualapai Tribal Police Department	B/A	1	1	Peach Springs, AZ	Hualapai Tribe																	
123	Hopi Law Enforcement & Training Facility	B	1	2	Hopi, Ariz.	Hopi Tribe		1 - 11	$ 8,975,000	$ 4,340,000	$ 59,224,000												
124	Colorado River Agency Consol Detentions	B	1	2	Parker, AZ	Chemehuevi, Colorado River Indian & Cocopah							1 - 71	$ 71,999,000	$ 71,760,000	$ 236,900,000	1 - 81	$ 80,130,000	$ 35,760,000	$ 196,200,000			
125	Colorado River Indian Tribes Police Dept. & Adult Detention	B	1	2	Parker, AZ	Colorado River Indian Tribes																	
126	Colorado River Indian Tribes Substation	A	1	2	Poston, AZ	Colorado River Indian Tribes		1 - 11	$ 8,975,000	$ 4,340,000	$ 59,224,000												
127	Fort McDowell Detention Facility	A	1	2	Fort McDowell, AZ	Yavapai Tribe		1 - 14	$ 8,975,000	$ 4,340,000	$ 59,224,000												
128	Fort McDowell Police Station	A	1	2	Fort McDowell, AZ	Yavapai Tribe																	
MOJAVE/APACHE AREA/NA																							
129	Behavioral Crisis Police/Treatment/Adult Detention	B/A	1	2	Whiteriver, AZ	White Mountain Apache Tribe							1 - 61	$ 1,000,000									
130	Fort Apache Court Bldg/Police	A	1	2	Whiteriver, AZ	White Mountain Apache Tribe																	
131	Whiteriver Tribal Police Department	A	1	2	Whiteriver, AZ	White Mountain Apache Tribe		1 - 14	$ 8,975,000	$ 4,340,000	$ 59,224,000												
132	Tribal/Court Tribal Police Department	A	1	2	Chinle, AZ	Navajo Nation		1 - 14	$ 8,975,000	$ 4,340,000	$ 59,224,000												
133	Tribal/Court Tribal Police Department	A	1	2	Chinle, AZ	White Mountain Apache Tribe		1 - 14	$ 8,975,000	$ 4,340,000	$ 59,224,000												
134	Zuni Courts Consol Investigations	B	1	2	Zuni Courts, NM	Zuni Courts Zuni Tribe																	
135a	Zuni Courts Department of Corrections & Rehabilitation Adult	B/A	1	2	Zuni Courts, NM	Zuni Courts Zuni Tribe																	
135b	Zuni Courts Department of Corrections & Rehabilitation Juv	B/A	1	2	Zuni Courts, NM	Zuni Courts Zuni Tribe							1 - 14	$ 71,999,000	$ 71,760,000	$ 236,900,000							
135	Zuni Courts Tribal Police Department Law Enforcement	A	1	2	Zuni Courts, NM	Zuni Courts Zuni Tribe																	
136	Zuni Courts Tribal Police Department	A	1	2	Zuni, NM	Zuni Courts Zuni Tribe		1 - 14	$ 8,975,000	$ 4,340,000	$ 59,224,000												

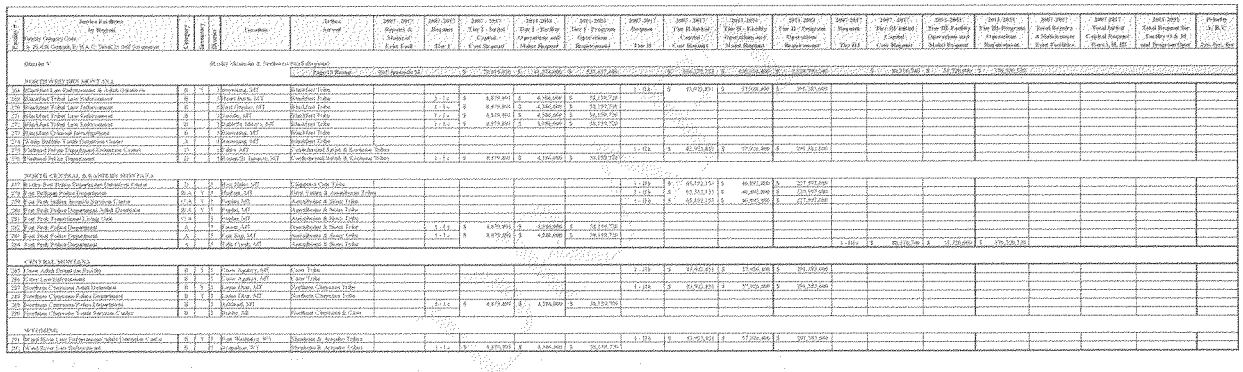


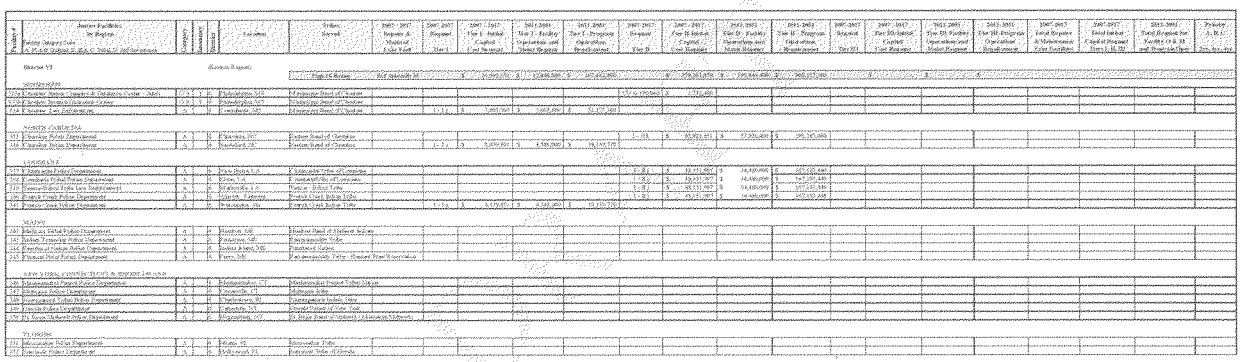
Tab Order	Service Population by Region Facility Category Code Ft. McDowell Yavapai, Ft. McDowell, Tribal Administration	Tab Order	Community Number	Location	Facility Name	2007 - 2017 Response to Weighted Tribal Need	2007 - 2017 Recipient Tier I	2007 - 2017 Tier I - Total Capital Cost Core Locations	2007 - 2017 Tier II - Total Operations and Maint. Request	2007 - 2017 Tier III - Total Replacement Request	2007 - 2017 Recipient Tier II	2007 - 2017 Tier III - Total Capital Cost Core Projects	2007 - 2017 Tier III - Total Operations and Maint. Request	2007 - 2017 Tier III - Total Replacement Request	2007 - 2017 Recipient Tier III	2007 - 2017 Tier III - Total Capital Cost Projects	2007 - 2017 Tier III - Total Operations and Maint. Request	2007 - 2017 Tier III - Total Replacement Request	2007 - 2017 Total Response to Weighted Tribal Need	2007 - 2017 Total Total Capital Request Tiers I, II, III	2007 - 2017 Total Request for Facility O & M and Programs Open	Priority I, II, III Tier, Tier, Tier
NORTHERN ARIZONA																						
					Agua Caliente	Fort Yuma Quechan																
107	Pinoleville Pomo Nation Tribal Police Department	50 A	1	Ukiah, CA	Pinoleville Pomo		1 - 14	$ 6,479,991	$ 4,796,666	$ 58,139,730												
108	Yavapai-Apache Tribal Police Department	50 A	2	Camp Verde, AZ	Yavapai-Apache Indian Tribe		1 - 14	$ 6,479,991	$ 4,796,666	$ 58,139,730												
109	Yavapai-Prescott Tribal Police Department	50 A	3	Prescott, AZ	Yavapai-Prescott Indian Tribe		1 - 14	$ 6,479,991	$ 4,796,666	$ 58,139,730												
PHOENIX AREA																						
110	Fort McDowell Tribal Police Department & Training Building	50	4	Fort McDowell, AZ	Fort McDowell Mohave-Apache Tribe						1 - 10 yr	$ 3,000,000	$ 21,750,000	$ 240,000,000								
111	Fort Mohave Mesa-Maricopa Police Department/SWAT	4722	5	Needles, CA	Fort Mohave Mesa Maricopa						6 - 10 yr	$ 3,000,000	$ 21,750,000	$ 240,000,000								
112	Fort Mohave Mesa-Maricopa Juvenile Detention	4722	6	Bullhead City, AZ	Fort Mohave Mesa Maricopa																	
113	Fort Mohave Mesa-Maricopa Department of Corrections and Jail	50	7	Fort Mohave, AZ	Fort Mohave Mesa Maricopa						10 - 20 yr	$ 4,000,000										
1420	Fort Mohave Mesa-Maricopa Department of Corrections-Juvenile	50	8	Fort Mohave, AZ	Fort Mohave Mesa Maricopa																	
CENTRAL AGENCY																						
114	Gila River Indian Police & Dept. Corrections & Rehabilitation	3612	9	Chandler, AZ	Gila River Indian Tribes						1 Star Project	$ 475,000										
115	Gila River Juvenile Detention Center	50	1	Chandler, AZ	Gila River Indian Tribes																	
116	Gila River Youth Holding Facility	50	10	Laveen, AZ	Gila River Indian Tribes		1 - 14	$ 6,479,991	$ 4,796,666	$ 58,139,730												
117	Gila River Rural Law Enforcement	50	11	Casa Blanca, AZ	Gila River Indian Tribes		1 - 14	$ 6,479,991	$ 4,796,666	$ 58,139,730												
118	Salt River Pima-Maricopa Police Dept.	4722	12	Scottsdale, AZ	Salt River Pima-Maricopa Indian Community of Papago Indians																	
119	Salt River Pima-Maricopa Detention	50	13	Scottsdale, AZ	Salt River Pima-Maricopa Indian Community of Papago Indians						1 - 10 yr	$ 42,333,333	$ 46,666,666	$ 233,240,000								
120	Gila River Tribal Police Department Detention	50	14	Sacaton, AZ	Gila River Indian Community of Papago Indians																	
1181	Gila River Tribal Police Department	50	15	Sacaton, AZ	Gila River Indian Community of Papago Indians																	



Facility #	Service Facilities by Region Facility Category Code (A) Health Stations, (B, B1, C) Police & Safety Operations	Category	Maintenance Division	Location	Tribes Served	2007 - 2017 Register & Maintain Tribal Roads	2007-2017 Request	2007 - Year 1 Year 1 - Initial Capital Cost Request	2011-2016 Year 5 - Facility Operations and Maint Request	2011-2016 Year 5 - Program Equipment Request	2007-2017 Request Year 10	2007 - 2017 Year 10 Initial Capital Cost Request	2007-2012 Year 10 - Facility Operations and Maint Request	2011-2012 Year 10 - Program Operations Requirement	2007-2017 Request Year 121	2007 - 2017 Year 10B Initial Capital Cost Request	2011-2016 Year 10B Facility Operations and Maint Request	2011-2016 Year 10 Program Operations Requirement	2007-2017 Total Numbers of Maintenance Jobs Facilities	2007-2017 Total Initial Capital Required Year 1 & 10	2007-2016 Total Request for Facility O & M and Program Operations	Polygon 1, N, C
Division IV					(Anthropologic & Survey Regions)																	
					Region of Interest	Ref Appendix N	1	$ 22,000,000	$ 10,000,000	$ 41,000,000	4	$ 206,713,764	$ 184,119,000	$ 109,221,000	5	$ 160,000,000	$ 105,600,000	$ 73,161,600				
	NORTHEASTERN NEW MEXICO & NORTHERN COLORADO																					
1004	Chief Lorenzo Antonio Garcia - Adult	A	1	14	Raton, NM	Tribal & Regional					20 or 150 beds	$ 2,986,500										
1005	Chief Lorenzo Medina Garcia - Juvenile	B	1	14	Raton, NM	Tribal & Regional																
1101	Southern Ute Police Department & Detention Center	C	1	14	Ignacio, CO	Ute Circle Regional Consortia																
1104	Apache Tribal Detention & Adult Detention Center	C	1	14	Dulce, NM	Jicarilla Apache Tribe					20 or 150 beds	$ 2,986,500										
1105	Apache Police Department & Dispatch at Consolidated	C	1	14	Dulce, NM	Jicarilla Apache Tribe																
1106	Apache Juvenile at Consolidated Juvenile Detention	C	1	14	Dulce, NM	Jicarilla Apache Tribe																
	WESTERN NEW MEXICO																					
196	Regional Animal Rehabilitation	B1 A	14	Regional	Pueblo of Laguna						1 - 10	$ 21,000,000	$ 10,500,000	$ 126,000,000								
197	Laguna Tribal Police Department & Detention	B1 A	14	Laguna, NM	Pueblo of Laguna																	
198	Acoma Tribal Police Department & Holding Units	B	14	Acomita, NM	Pueblo of Acoma																	
199	Pueblo Police Department & Adult Detention	A	5	Pueblo, CO	Pueblo Region						1 - 150	$ 63,351,131	$ 31,675,565	$ 379,507,680								
200a	Clear Detention Center - Adult	B1A	14	Clear, NM	Pueblo of Zuni						1 - 10	$ 18,921,150	$ 9,460,575	$ 227,047,800								
200b	Clear Detention Center - Juvenile	C, S	14	Clear, NM	Pueblo of Zuni																	
201	Zuni Law Enforcement Complex (old Center)	A	14	Zuni, NM	Pueblo of Zuni																	
	SOUTHERN WESTERN NEW MEXICO																					
267	Southern Pueblos Agency Law Enforcement	B	14	Isleta, Sia, San Felipe, Cochiti, Santo Domingo, Santa	Isleta, Sia, San Felipe, Cochiti, Santo Domingo, Santa	1 - 14	$ 8,379,901	$ 4,189,950	$ 50,159,726													
267	Southern Pueblos Agency Law Enforcement	B	14	Isleta pending	Isleta, Sia, San Felipe, Cochiti, Santo Domingo, Santa	1 - 14	$ 8,379,901	$ 4,189,950	$ 50,159,726													
268	Southern Pueblos Agency Law Enforcement	B	14	Laguna pending	Isleta, Sia, San Felipe, Cochiti, Santo Domingo, Santa	1 - 14	$ 8,379,901	$ 4,189,950	$ 50,159,726													
269	Zuni Tribal Police Department & Holding	A	14	Zuni Pueblo, NM	Pueblo of Zuni																	
304	Hopi Tribal Police Department (under study)	A/B	14	Hopi Pueblo, NM	Pueblo of Hopi																	
307	Navajo Law Tribal Police Department	A/B	14	Farmington, NM	Pueblo of Santa Ana																	
308	Isleta Tribal Police Department & Jail	A/B	14	Isleta, NM	Pueblo of Isleta	1 - 14	$ 8,000,000	$ 4,000,000	$ 48,000,000						1 - 10	$ 40,000,000	$ 20,000,000	$ 120,000,000	$ 176,000,000			
309	Pueblo Tribal Police Department	A/B	14	Albuquerque, NM	Pueblo of Isleta																	
	NORTHERN NEW MEXICO																					
178	Northern Pueblos Agency Law Enforcement	B	14	San Juan Pueblo, NM	Rio Arriba, Taos, Santa Clara, San Ildefonso, Santa	1 - 14	$ 8,379,901	$ 4,189,950	$ 50,159,726													
213	Taos Tribal Police Department (Multi Function)	A	14	Taos, NM	Pueblo of Taos						1 - 10	$ 40,000,000	$ 20,000,000	$ 240,000,000								
251	Pueblo Tribal Police Department	B, A	14	Pueblo, CO	Pueblo Region																	
257	San Juan Tribal Police Department at Regional Investigation	B1A	5	San Juan Pueblo, NM	Pueblo of San Juan						1 - 10	$ 32,361,565	$ 17,180,783	$ 193,571,378	1 - 10	$ 20,000,000	$ 11,720,000	$ 117,720,000	$ 376,291,378			
258	Santa Clara Tribal Police Department	B, A	14	Espanola, NM	Pueblo of Santa Clara	1 - 14	$ 5,479,901	$ 4,384,000	$ 49,179,726		1 - 14	$ 24,761,565	$ 17,180,783	$ 97,571,378								
259	Nambe Tribal Police Department	B, A	14	Santa Fe, NM	Pueblo of Tesuque	1 - 14	$ 5,479,901	$ 4,384,000	$ 49,179,726		1 - 14	$ 24,761,565	$ 17,180,783	$ 97,571,378								
260	San Juan Family Holding Facility	B1	14	San Juan, NM	Pueblo of San Juan																	

Appendix N
Comprehensive Capital Improvements





Project #	Justice Facilities by Region Facility Category Code A = Adult; Juvenile; B = Both; C = Tribal Jail Operations	Category	Assessment Number	Status	Location	System Served	2007 - 2017 Requests & Needs of Tribe Each	2007-2017 Request Tier 1	2007 - 2017 Tier 1 - Funded Capital Cost Request	2017-2026+ Tier 2 - Facility Operations and Debt Request	2017-2026+ Tier 3 - Programs Operations Requirement	2007-2017 Request Tier 2	2007 - 2017 Tier 2 - Funded Capital / Cost Request	2017-2026+ Tier 2 - Funded Operations and Maintenance Request	2017-2026 Tier 3 - Programs Operations Request	2007-2017 Request Tier 3?	2007 - 2017 Tier 3 - Funded Capital Cost Request	2017-2026 Tier 3 - Funded Operations and Debt Request	2017-2026 Tier 3 - Programs Operations Requirement	2007-2017 Total Request & Maintenance Total Request	2007-2017 Total Funded Capital Request Tiers 1 & 2	2017-2026+ Total Request for Facility O & M and Programs/Jail Tiers	Footnote A, B, C
	Region VI					Alaska Region																	
							Region Totals	Not Applicable	$ -	$ 17,000,000	$ 17,000,000	$ 57,000,000	$ -	$ 178,000,000	$ 178,000,000	$ 252,000,000	$ -	$ 252,000,000	$ 252,000,000	$ -	$ -	$ -	
	NORTHERN REGION																						
513	Kenaitze Police Department	A		B	Kenaitze, NR	Kenaitze Band of Dena'ina						1 - 113	$ 18,923,471	$ 17,000,000	$ 195,345,000								
166	Chickaloon Police Department	A		B	Chickaloon, NR	Kenaitze Band of Dena'ina		1 - 1	$ 3,470,000	$ 4,500,000	$ 19,147,778												
	LOWER 48																						
517	Tuscarora Police Department	A		B	Tuscarora, NY	Tuscarora Tribe of Oneidas						1 - 8	$ 32,451,667	$ 14,400,000	$ 257,401,440								
512	Onondaga Tribal Police Department	A		C	Onondaga, NY	Onondaga Nation of Oneidas						1 - 8	$ 19,451,667	$ 14,400,000	$ 147,201,440								
519	Seneca-Cayuga Police Department	A		C	Grove, OK	Seneca-Cayuga Tribe						1 - 8	$ 32,451,667	$ 14,400,000	$ 147,201,440								
186	Seneca Police Department	A		C	Seneca, NY	Seneca Nation of Indians						1 - 8	$ 32,451,667	$ 14,400,000	$ 257,401,440								
541	Potawatomi Police Department	A		B	Shawnee, OK	Absentee Shawnee Tribe		1 - 16	$ 6,470,000	$ 4,500,000	$ 19,147,778	1 - 8	$ 19,451,667	$ 14,400,000	$ 147,201,440								
	MIDWEST																						
161	Bad River Tribal Police Department	A		B	Houghton, MI	Keweenaw Bay Band of Ojibwe Indians																	
163	Hannahville Potawatomi Police Department	A		C	Wilson, MI	Hannahville Tribe																	
164	Menominee Police Department	A		B	Keshena, WI	Menominee Tribe																	
165	Sault Tribe Police Department	A		B	Sault Ste. Marie, MI	Sault Ste. Marie Tribe of Chippewa Indians																	
	NEW MEXICO, OKLAHOMA, TEXAS & NORTHEAST AREA																						
180	Mescalero Apache Police Department	A		B	Mescalero, NM	Mescalero Apache Tribe of New																	
547	Jicarilla Police Department	A		B	Dulce, NM	Jicarilla Tribe																	
189	Comanche Tribal Police Department	A		C	Cheyenne, OK	Comanche Indian Tribe																	
549	Apache Police Department	A		B	Fort Sill, OK	Apache Tribe of Oklahoma																	
190	Ft. Sill Apache Police Department	A		C	Kingsville, TX	Ft. Sill Apache Tribe of Oklahoma (Chiricahua & Warm Springs)																	
	FLORIDA																						
191	Miccosukee Police Department	A		B	Miami, FL	Miccosukee Tribe																	
517	Seminole Police Department	A		B	Hollywood, FL	Seminole Tribe of Florida																	

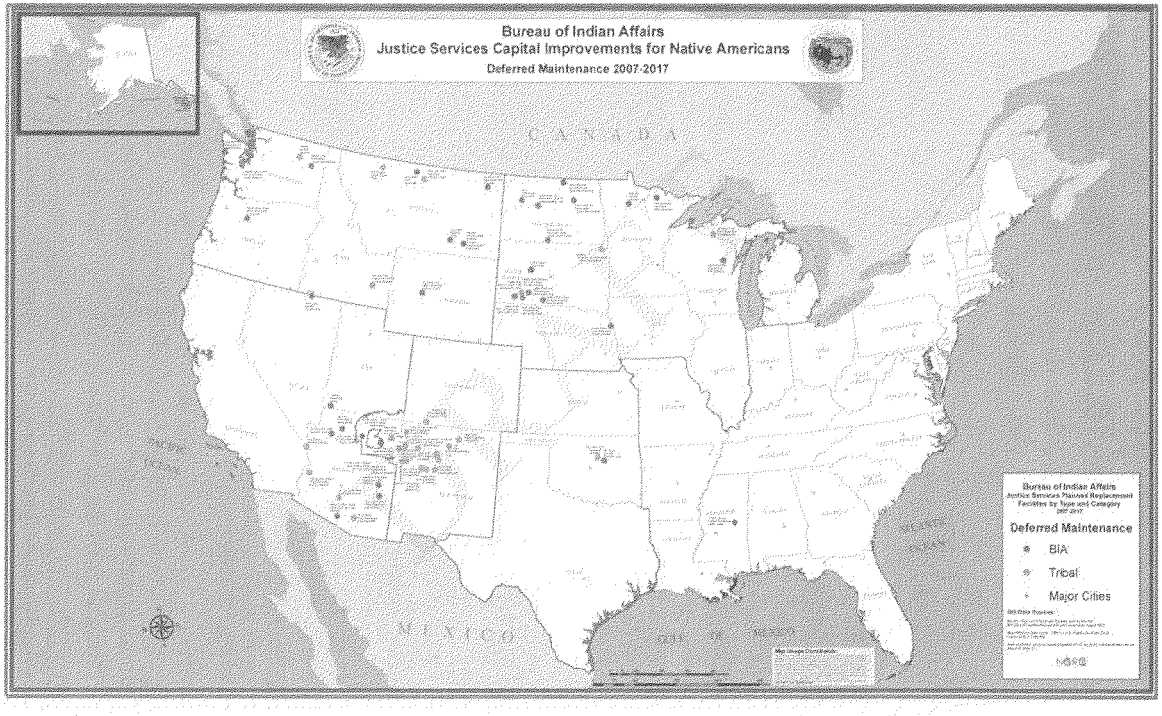
Appendix O

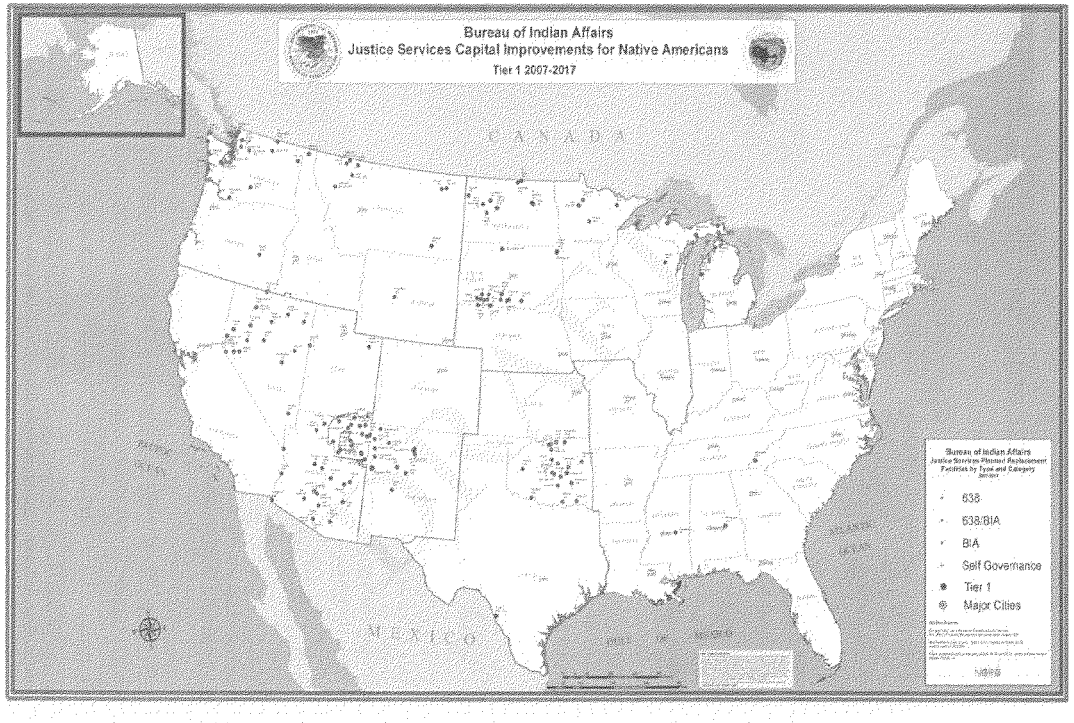
Location Maps of Facilities addressed in Master Plan

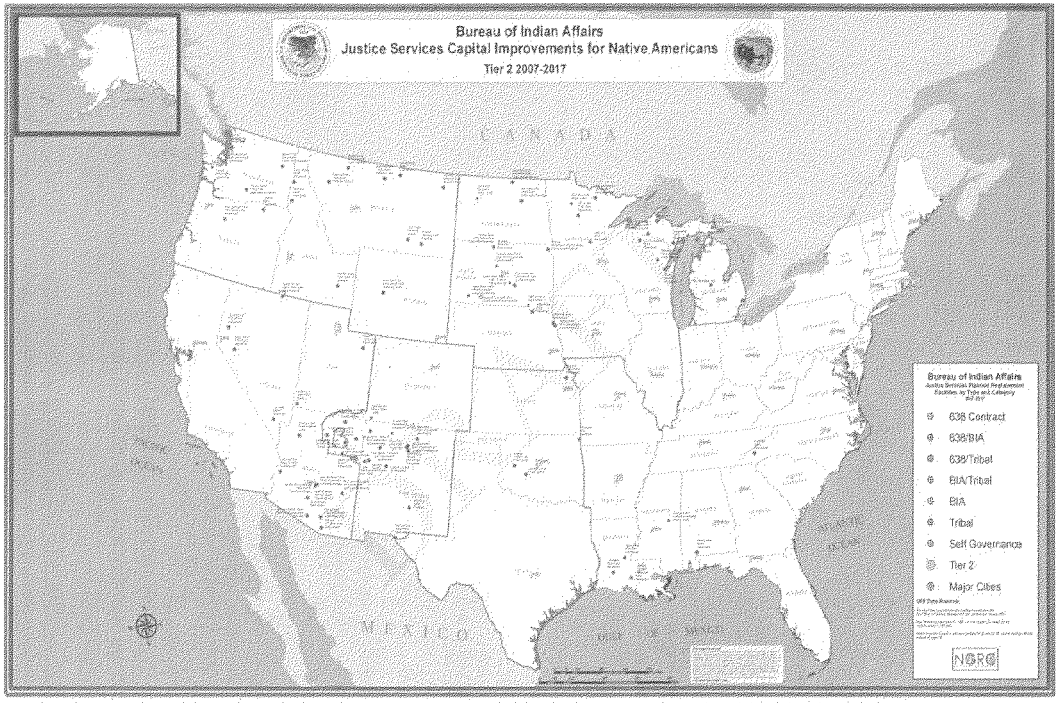
This appendix provides maps of the United States that depict the locations for facilities that are addressed in the Master Plan. These maps depict: 1) Facilities Requiring Deferred Repairs and Maintenance, 2) Replacement Tier I facilities, 3) Replacement Tier II facilities, 4) Replacement Tier III facilities 5) Facilities requiring Capacity Upgrade and 6) Composite map of all facilities addressed in the Master Plan.

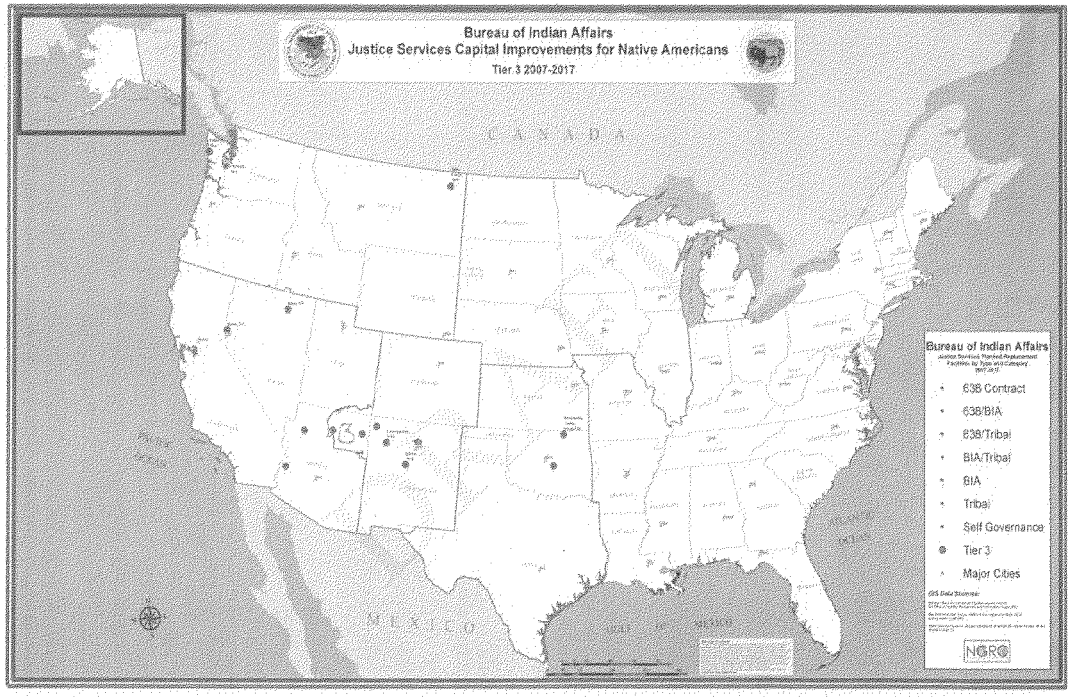
Each of the maps also provides a detailed reference legend to identify 1) Tribal Facilities, 2) PL-638 Facilities, 3) Self Governance Facilities and 4) BIA facilities.

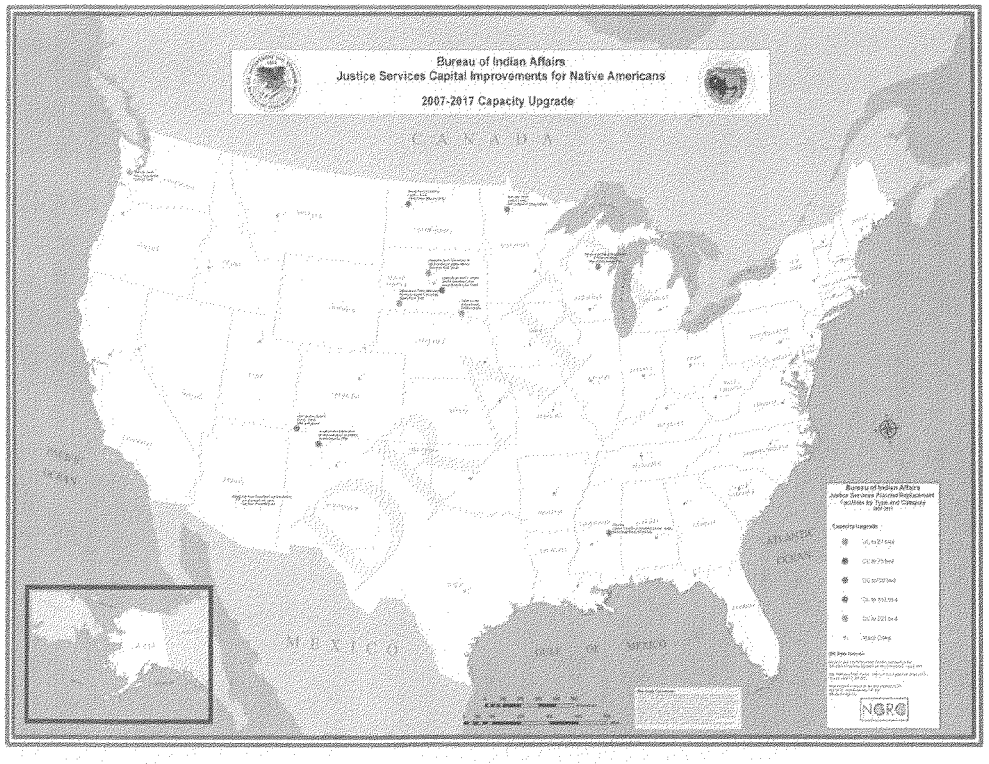
DRAFT


Bureau of Indian Affairs
Justice Services Capital Improvements for Native Americans
Deferred Maintenance 2007-2017
CANADA
MEXICO
Deferred Maintenance
BIA
Tribal
Major Cities

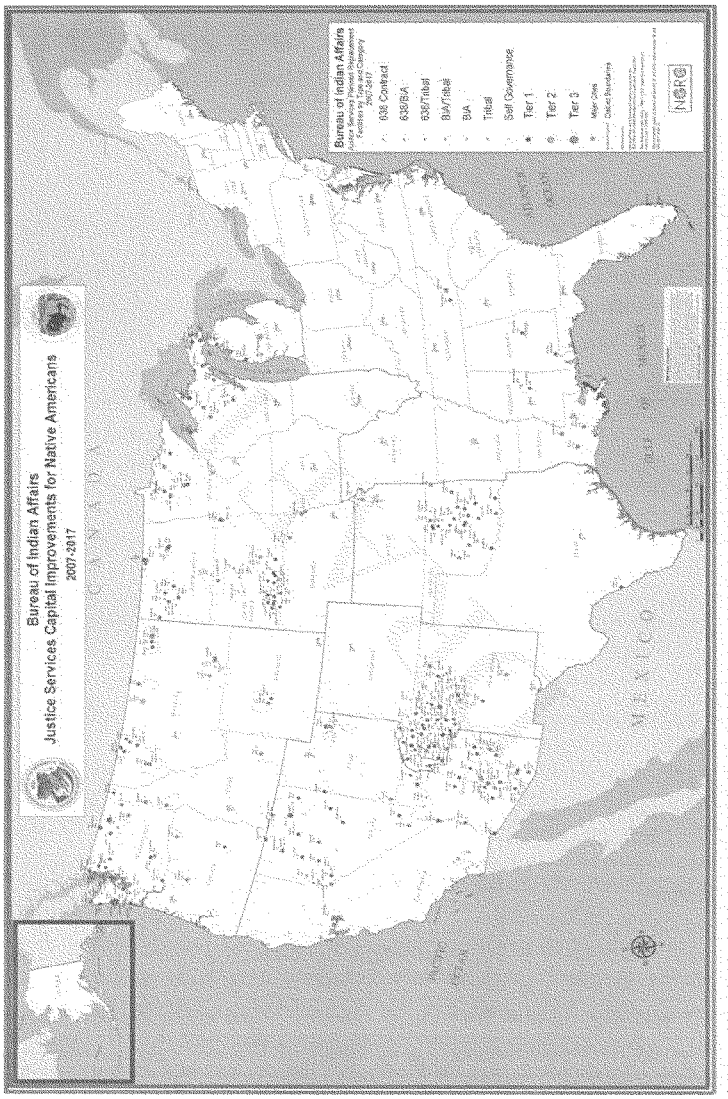

Bureau of Indian Affairs
Justice Services Capital Improvements for Native Americans
Tier 1 2007-2017
CANADA
MEXICO
638
638/BIA
BIA
Self Governance
Tier 1
Major Cities


Bureau of Indian Affairs
Justice Services Capital Improvements for Native Americans
Tier 2 2007-2017
CANADA
MEXICO
Bureau of Indian Affairs
638 Contract
638/BIA
638/Tribal
BIA/Tribal
BIA
Tribal
Self Governance
Tier 2
Major Cities
NORC


Bureau of Indian Affairs
Justice Services Capital Improvements for Native Americans
Tier 3 2007-2017
CANADA
MEXICO
Bureau of Indian Affairs
638 Contract
638/BIA
638/Tribal
BIA/Tribal
BIA
Tribal
Self Governance
Tier 3
Major Cities
NGRC



Master Plan for Justice Services – Capacity Upgrade Requirements 2007 - 2017



Master Plan for Justice Services – Composite Facilities Requirements 2007 - 2017

1262

○