

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0370-16

**DATE:** October 14, 2016

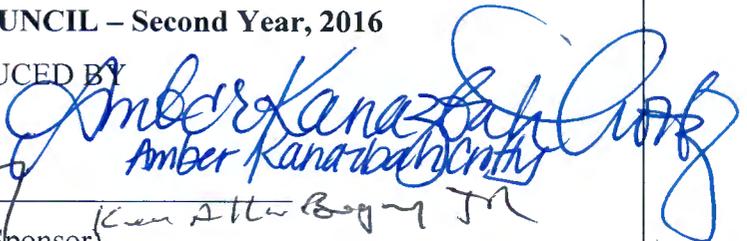
**TITLE OF RESOLUTION:** PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO AN EMERGENCY; APPROPRIATING \$3,800,000 FROM THE SÍHASIN FUND TO THE DIVISION OF PUBLIC SAFETY DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE EMERGENCY 911 SYSTEM, THE AMBER ALERT SYSTEM AND FOR THE RURAL ADDRESS SYSTEM

**PURPOSE:** This legislation will approve the expenditure of \$3,800,000 from the Síhasin Fund to \$3,800,000 to the Division of Public Safety Department of Emergency Management, for implementation of the Emergency 911 System, the Amber Alert System, and the Rural Addressing System.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
23<sup>rd</sup> NAVAJO NATION COUNCIL – Second Year, 2016

INTRODUCED BY

  
Amber Kanababentis  
*Ken Allen Begay JR*  
(Prime Sponsor)

TRACKING NO. 0370-14

**AN ACTION**

**RELATING TO AN EMERGENCY; APPROPRIATING \$3,800,000 FROM  
THE SÍHASIN FUND TO THE DIVISION OF PUBLIC SAFETY  
DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE  
EMERGENCY 911 SYSTEM, THE AMBER ALERT SYSTEM AND FOR  
THE RURAL ADDRESS SYSTEM**

**BE IT ENACTED:**

**Section One. Authority**

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A)
- B. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.”

**Section Two. Findings**

- A. Navajo Nation Council Resolution No. CD-68-14 which enacted the Navajo Nation Trust Settlement Act of 2014 (“2014 Act”) and established the Navajo Nation

1           Sihasin Fund at 12 N.N.C. §§2501-2508, mandates that Sihasin Fund principal and  
2           income may only be expended to provide financial support and/or financing for (1)  
3           the planning and development of regional infrastructure supporting economic and  
4           community development, including housing, within the Navajo Nation; and/or (2)  
5           education opportunities for members of the Navajo Nation. See 12 N.N.C § 2501  
6           and § 2502 (A).

7           B. Notwithstanding the responsibilities assigned to the Sihasin Fund Subcommittee to  
8           recommend to the Naabik'iyati' Committee and Navajo Nation Council financial  
9           support and/or financing plans for the purposes designated in the 2014 Act, the  
10          Navajo Nation Council hereby determines:

11           1. Allocating \$1,950,000 to the Division of Public Safety Department of  
12           Emergency Management, for implementation of the Emergency 911  
13           System is regional infrastructure on the Navajo Nation and, therefore,  
14           meets the 2014 Act's requirement for the "planning and development of  
15           regional infrastructure supporting economic and community development,  
16           including housing, within the Navajo Nation." See 12 N.N.C. §2502 (A)  
17           (1).

18           2. Allocating \$850,000 to the Division of Public Safety Department of  
19           Emergency Management, for implementation of the Amber Alert System is  
20           regional infrastructure on the Navajo Nation and, therefore, meets the 2014  
21           Act's requirement for the "planning and development of regional  
22           infrastructure supporting economic and community development, including  
23           housing, within the Navajo Nation." 12 N.N.C. §2502 (A) (1).

24           3. Allocating \$1,000,000 to the Division of Public Safety Department of  
25           Emergency Management, for implementation of the Rural Addressing  
26           System is regional infrastructure on the Navajo Nation and, therefore, meets  
27           the 2014 Act's requirement for the "planning and development of regional  
28           infrastructure supporting economic and community development, including  
29           housing, within the Navajo Nation." 12 N.N.C. §2502 (A) (1).

1 C. The Navajo Nation Council hereby determines that allocating \$3,800,000 to the  
2 Division of Public Safety Department of Emergency Management, for  
3 implementation of the Emergency 911 System, the Amber Alert System, and the  
4 Rural Addressing System is regional infrastructure on the Navajo Nation is within  
5 the best interest of the Navajo Nation and Navajo communities.

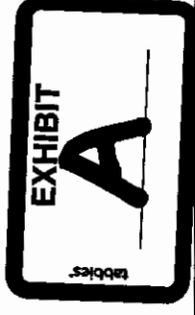
6 D. The Navajo Nation Council finds that an emergency exists to protect the residents  
7 of the Navajo Nation through the use of the Emergency 911 System, the Amber  
8 Alert System, and the Rural Addressing System. This \$3,800,000 funding would  
9 provide disaster relief services. This emergency arises due to the pressing public  
10 need and requires an immediate appropriation from the Sihasin Fund to the Division  
11 of Public Safety Department of Emergency Management.

12  
13 **Section Three. Allocating \$5,000,000 from the Sihasin Fund**

14 The Navajo Nation hereby allocates \$3,800,000 to the Division of Public Safety  
15 Department of Emergency Management for implementation of the Emergency 911  
16 System, the Amber Alert System, and the Rural Addressing System. Budget  
17 documents are in Exhibit A.

18  
19 **Section Four. Effective Date**

20 This legislation shall become effective pursuant to 12 N.N.C. § 2505.  
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THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 2017

PART I. Business Unit No.: 116019		Program Title: Department of Emergency Management		Division/Branch: Public Safety	
Prepared By: Linda Youvella		Phone No.: 928.871.6383		Email Address: lindayouvella@navajo-nsn.gov	
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	
Sihasin Funding	10/1/2016-9/30/2017	\$ 3,800,000.00	100%	Fund Type Code	NNC Approved Original Budget (Column B - A)
				2001 Personnel Expenses	
				3000 Travel Expenses	
				3500 Meeting Expenses	
				4000 Supplies	
				5000 Lease and Rental	
				5500 Communications and Utilities	\$ 3,800,000.00
				6000 Repairs and Maintenance	
				6500 Contractual Services	
				7000 Special Transactions	
				8000 Public Assistance	
				9000 Capital Outlay	
				9500 Matching Funds	
				9500 Indirect Cost	
				<b>TOTAL \$</b>	<b>\$ 3,800,000.00</b>
				PART IV. POSITIONS AND VEHICLES	
				Total # of Positions Budgeted:	0
				Total # of Permanently Assigned Vehicles:	0
				<b>TOTAL:</b>	<b>\$3,800,000.00</b>
					100%

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

*[Signature]* 10/14/16

*[Signature]* 10-14-16

SUBMITTED BY: Program Manager's Printed Name and Signature / Date

APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date

<b>PART I. PROGRAM INFORMATION:</b>	Business Unit No.: 116019	Department of Emergency Management
	Program Name/Title:	
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b>		
GSCAU-61-95 To provide effective and efficient emergency management services on a 24 hour basis within the territorial jurisdiction of the Navajo Nation, as defined by Title 7 NTC and 18 USC §1151 coordinating with oth		
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>		
1. Program Performance Area: To promote emergency preparedness at all Navajo Nation chapter communities.		
Goal Statement: Conduct awareness and presentations and safety, i.e. Amber Alert, etc.		
2. Program Performance Area: Organize ALERT teams in respective chapters.		
Goal Statement: Establish ALERT teams or certify through sessions.		
3. Program Performance Area: Promote an AMBER ALERT system across the Navajo Nation.		
Goal Statement: Organize teams to assist programs, chapters, etc.		
4. Program Performance Area: Establish rural addressing at all the 110 Navajo Nation chapters.		
Goal Statement: Have a rural addressing system across the Navajo Nation for emergency preparedness.		
5. Program Performance Area: Goal Statement:		

**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

*[Signature]* 10/14/16

*[Signature]* 10-14-16

Program Manager's Printed Name and Signature/Date

Division Director/Branch Chief's Printed Name and Signature / Date

PART I. PROGRAM INFORMATION:		Department of Emergency Management		Business Unit No.: 116019	
Program Name/Title:					
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code		
5500	COMMUNICATIONS & UTILITIES				
5520	TELEPHONE An emergency communication system, ALERT SYSTEM, Rural Addressing across the Navajo Nation. \$1,950,000.00 Emergency System \$850,000.00 for Amber Alert System \$1,000,000.00 for Rural Addressing System \$3,800,000.00 - TOTAL	\$ 1,266,667.00	\$ 3,800,000.00		
5570	INTERNET	\$ 1,266,667.00			
	5580: DSL				
	5590: T-1				
	5600: Internet Services				
5610	WIRELESS	\$ 1,266,666.00			
	5620: Cellular				
	5630: Two Way Radio				
	5640: Satellite				
<b>TOTAL</b>		<b>\$ 3,800,000.00</b>	<b>\$ 3,800,000.00</b>		

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# NAVAJO DIVISION OF PUBLIC SAFETY FUNDING REQUEST



MAY 25, 2016

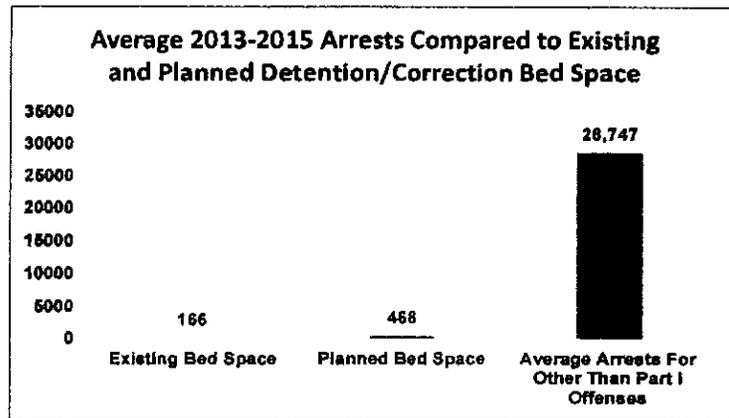
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# Executive Summary

**P**ublic safety facilities are scarce on the Navajo Nation. This document contains an urgent request for funds to support the completion of seven facilities critical to public safety on the Navajo Nation located in Chinle, Pinon, Dilkon, Shiprock, Fort Defiance, and Kayenta. These facilities are necessary to support principal functions of the Navajo Division of Public Safety.

Without these facilities to support the criminal justice system, a strong deterrent to punishable offenses is absent. The insufficient number of bed spaces in existing and planned facilities

to detain arrestees and incarcerate (and rehabilitate) convicted offenders is staggering; this situation is the most prominent obstacle or barrier to establishing a strong deterrent to crime.



### The consequences of an insufficient number of bed spaces are alarming:

- Suspected offenders are often given a warning rather than arrested.
- Individuals that are arrested and booked are often released on their own (personal) recognizance.
- Courts often do not impose imprisonment when it is appropriate.
- Individuals imprisoned are often released from incarceration prematurely.

Allowing individuals charged with a crime to roam the Navajo Nation rather than be detained until trial or imprisoned, or prematurely releasing inmates from correctional facilities significantly perpetuates criminal behavior and repeat offenses, jeopardizes the safety of citizens, and diminishes public trust in Navajo government.

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# Section 1

## Introduction

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### 1.1 OVERVIEW

This document contains an urgent request for funds to support the completion of seven facilities critical to public safety on the Navajo Nation. Included in this document is the justification of urgent need for funding to complete facility construction and turnover for projects located in Chinle, Pinon, Dilkon, Shiprock, Fort Defiance, and Kayenta. These facilities are necessary to support principal functions of the Navajo Division of Public Safety (NDPS).<sup>1</sup>

Although construction of all facilities is approved, actual progress towards completion exhibits a wide range:

- Chinle Judicial Public Safety Facility is 75 percent complete and occupation is expected in June 2016.
- Chinle Regional Public Safety Training Academy is in the initial design phase for selected components.
- Pinon Judicial Public Safety Facility is in the final design phase.
- Dilkon Public Safety Facility is in the final design phase (and is awaiting review and comment from the U.S. Bureau of Indian Affairs).
- Shiprock Judicial Public Safety Facility is in the preliminary planning phase.
- Fort Defiance Judicial Public Safety Facility is in the land acquisition phase.
- Kayenta modified Judicial Public Safety Facility is complete and permitted for partial operation until aboveground firewater tanks are constructed.

Delayed funding is the principal root cause for this wide range of progress.

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<sup>1</sup> These projects are listed in order of priority in accordance with legislation passed by the Navajo Nation Council's Law & Order Committee.

## 1.2 BACKGROUND

Public safety facilities—law enforcement, detention/correction, and courts—are scarce on the Navajo Nation. The few existing facilities are aging, require major re-capitalization or total re-construction, and are scattered across the vast geographic area of the Navajo Nation. While some new construction of multi-purpose public safety facilities has occurred—law enforcement, detention/correction, and courts—more are required now to address arrests and expedite the overall adjudication process. Without these facilities to support the criminal justice system, a strong deterrent to punishable offenses is absent.

The insufficient number of facilities (i.e., bed spaces) to detain arrestees and incarcerate (and rehabilitate) convicted offenders is the most prominent obstacle or barrier to establishing a strong deterrent to crime. Generally, tribal leaders and tribal justice professionals believe that incarceration should be a last resort. However, they recognize that incarceration is sometimes necessary.<sup>2</sup> Unlike other Native American tribes, the Navajo Nation does not have regional partnerships with bordering states to house arrestees in order to help reduce the strain placed on its detention/correction facilities. Exacerbating the shortage of Navajo Nation detention/correction facilities are the following legislation:

- Tribal Law and Order Act [(TLOA) which authorizes longer jail sentences]<sup>3</sup>
- Navajo Nation Criminal Code Title 17 (which re-instates of a wide range of criminal offense punishable by imprisonment at the discretion of a judge under that were not so indicated in the preceding version of this code)<sup>4</sup>
- Navajo Nation Mental Health Commitment Act (MHCA) of 2011
- Navajo Nation Vulnerable Adult Protection Act (VAPA) of 2011
- Violence Against Women Act (VAWA) Reauthorization of 2013<sup>5</sup>

Judgments that would call for sentences requiring longer periods of incarceration in accordance with TLOA and Title 17 are not possible due to the shortage of bed space. Consequently, new offenders that should be incarcerated are sentenced to other punishment, such as fines, probation, or community service; this type of punishment does not present the same deterrent to crime as imprisonment. Addi-

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<sup>2</sup> *Tribal Law and Order Act (TLOA) Long Term Plan to Build and Enhance Tribal Justice Systems*, U.S. Department of Justice and U.S. Department of Labor, August 2011, p. 22.

<sup>3</sup> *Ibid*, p. 26.

<sup>4</sup> Navajo Nation Criminal Code Title 17, Chapter 3, Offenses.

<sup>5</sup> Tribal Court Clearinghouse, *The Violence Against Women Act – Title LX: Safety for Indian Women*, [http://www.tribalinstitute.org/lists/title\\_ix.htm](http://www.tribalinstitute.org/lists/title_ix.htm) 1/5.

tionally, the Navajo Nation Mental Health Commitment Act, Vulnerable Adult Protection Act, and Violence Against Women Act each require prompt temporary incarceration of offenders—this further strains the capacity of Navajo Nation detention/correction facilities.<sup>6</sup>

On the Navajo Nation individuals awaiting trial, sentencing, or both are detained in the same facility used to incarcerate people for sentences that are a year or less.<sup>7</sup> Hence, there is no distinction between the Navajo Nation detention and correction facilities, as the same facility is utilized for both purposes.<sup>8</sup> Because these facilities serve a dual role—detention and correction—the supply of bed space is greatly exceeded by the demand. The consequences of this situation are alarming, as law enforcement and judicial personnel, being keenly aware of the shortage of bed space, have little alternative but to implement actions that do not adequately address the nature of the arresting offense. For example:

- Law enforcement personnel sometimes release suspected offenders with a warning rather than an arrest.
- Law enforcement personnel sometimes forgo an arrest because transporting these individuals to detention facilities that have available bed space is time-consuming, not cost-effective, and reduces the availability of police officers to perform their patrol function and respond to emergencies.
- Individuals that are arrested and booked on suspicion of committing a crime are often released on their own (personal) recognizance rather than placed in a detention facility until there is a formal hearing.
- Courts often impose fines or place individuals on probation if found guilty when imprisonment is more appropriate.
- Individuals in a correction facility are often released from incarceration prematurely (i.e., without having served the full measure of their sentence).

Consequently, citizens are often reluctant to request help from police officers or report crime because they have little confidence that law enforcement or the judicial system will take appropriate action; they also fear retaliation from offenders who are neither detained nor imprisoned.

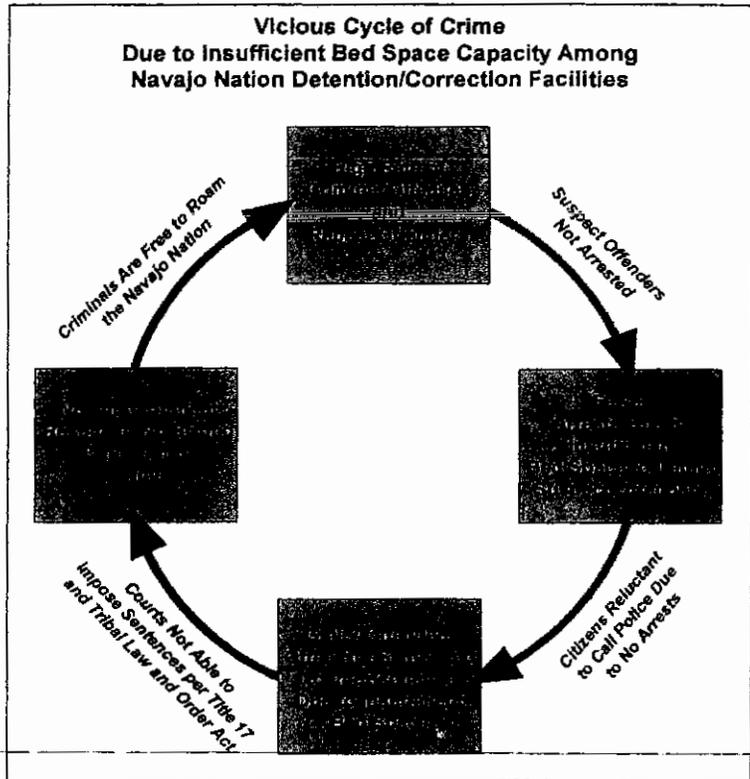
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<sup>6</sup> For example, the Navajo Nation implementation of the Violence Against Women Act requires a detention period of 36 hours for offenders.

<sup>7</sup> In the United States jails hold arrestees awaiting adjudication (trial or sentencing or both); and jail terms are typically less than one year. Further, and in contrast, U.S. prisons incarcerate and attempt to rehabilitate individuals given prolonged sentences, and are typically operated by county, state or federal governments. Navajo Nation detention facilities hold arrestees awaiting trial or sentencing or both. These same facilities are also used as correction facilities that incarcerate and attempt to rehabilitate offenders serving sentences of a year or less. Navajo Nation offenders serving sentences for periods longer than a year are incarcerated in federal facilities.

<sup>8</sup> The difference is that detainees do not receive rehabilitative services as do offenders sentenced to incarceration for behavioral correction.

Violence on the Navajo Nation is compounded by failure to prosecute offenders—this has resulted in significant impediments to law enforcement. The large backlog of (unfiled and filed ) cases awaiting trial due to the insufficient number of available prosecutors and judges contributes to the number of individuals that should be incarcerated but are allowed to roam free due to the shortage of bed space. The inability to detain arrestees until trial or sufficiently imprison individuals found guilty undermines law enforcement initiatives to discourage illegal actions and fosters an environment that perpetuates crime. Consequently, crime of all types is rampant on the Navajo Nation and repeat offenders are common.



### 1.3 PURPOSE AND OBJECTIVE

The purpose of this document is to ensure that Navajo Nation decision-makers fully understand: (1) that the aforementioned seven facilities are critical to public safety on the Navajo Nation and (2) the urgency for releasing project-specific funds to complete their construction. The objective of this document is to overcome barriers to obtaining the vital funds needed to ensure that construction of these seven facilities is completed expediently.

### 1.4 SCOPE AND LIMITS

This request focuses on providing the rationale and identifying the funding needed to complete construction of each facility and begin operations. It is limited to providing best estimates to complete construction and subsequent turnover to operation for each facility.

## 1.5 REPORT ORGANIZATION

The remainder of this report is organized as follows:

- Section 2 summarizes the overall Navajo Nation public safety environment, status of the seven facilities listed in order of priority, and potential funding sources.
- Section 3 summarizes the justification of urgent need and total funding requirement for the seven NDPS construction projects.

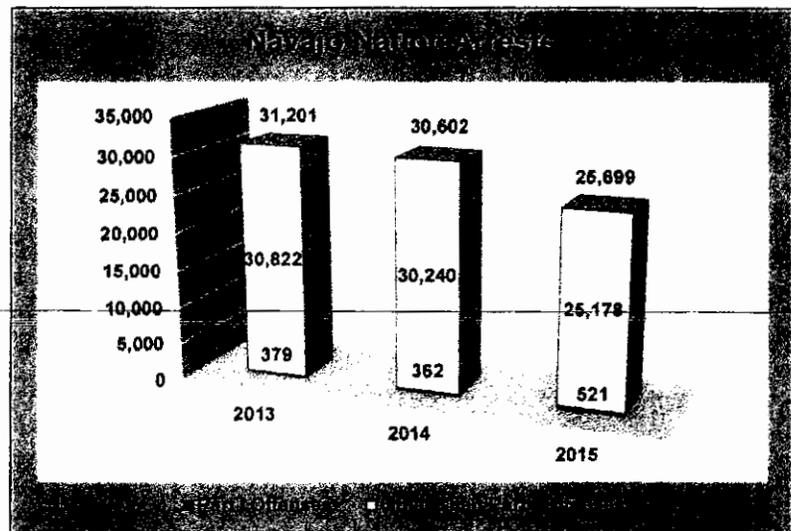
## Section 2

# Justification of Urgent Need for Funding Public Safety Construction Projects

## 2.1 PUBLIC SAFETY ENVIRONMENT

### 2.1.1 Offenses on the Navajo Nation

For the past three years (i.e., 2013-2015) there have been an average of 29,167 arrests per year across the 27,425 square mile Navajo Nation—more than one arrest for every square mile. Based on population, this average number of arrests is almost 2.5 times that of the United States.



Navajo Nation arrests for Part I offenses only, which comprise violent crimes and property crimes, increased from 379 to 521, or by approximately 38 percent, from 2013 to 2015.<sup>11</sup> Individuals arrested for these crimes are the responsibility of the U.S. federal government, and generally are detained only temporarily (i.e., several hours) in a Navajo Nation detention/correction facility. They are eventually transported to a federal facility where they await booking and adjudication. Further, sentences of incarceration are served in a federal facility only. Hence, arrestees for Part I offenses do not place a burden on the limited bed space in Navajo Nation detention/correction facilities.

In contrast, the number of arrests for other than Part I offenses, which comprise less violent crime, are the responsibility of the Navajo Nation. Arrests for these offenses decreased from 30,822 to 25,178, or by approximately 18 percent. However, despite this downward trend, the average number of these crimes for the past

<sup>11</sup> Part I violent crimes are murder, forcible rape, aggravated assault, and robbery. Part I property crimes are arson, burglary, larceny-theft, and motor vehicle theft.

three years is horrific—28,747.<sup>12</sup> Based on population, this average number of arrests for other than Part I offenses is more than 3 times that of the United States. Arrests for these offenses provide the justification of need for urgent funding for the seven NDPS facilities as discussed in the remainder of this document.

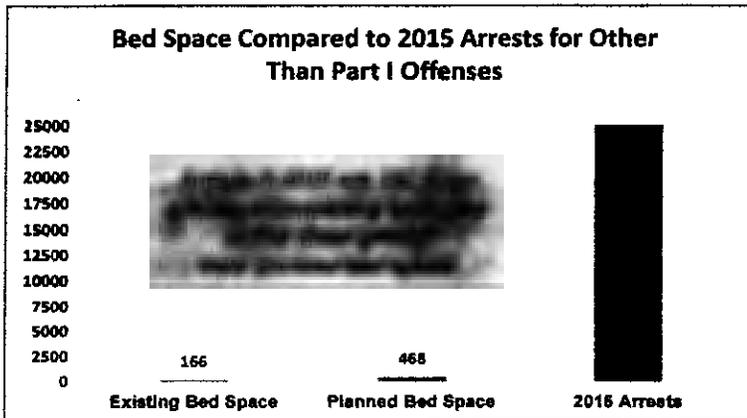
## 2.1.2 Detention and Correction Facility Capacity

The current capacity (i.e., bed space) in existing detention/correction facilities is 166 people. Planned modifications to existing facilities in Tuba City and Kayenta, and new construction in Dilkon, Pinon, Shiprock, and Fort Defiance will result in 302 additional beds, for a total of 468, an increase of 182 percent. Regardless of this increase, comparing bed space to arrests in 2015 indicates an intolerable situation—the 25,178 arrests overwhelm the existing and planned bed space. To demonstrate the impact of this situation, a reasonable assumption is that only four percent of the individuals arrested in 2015 are actually guilty and therefore should be imprisoned. Under this scenario bed space would be required for 1,007 people ( $25,178 \times 4\% = 1,007$ ). Given that currently only 166 beds exist, then 841 arrestees ( $1,007 - 166 = 841$ ) that should be incarcerated would be allowed to roam the Navajo Nation. However, given that some of the existing 166 existing beds are likely to be occupied due to previous

Navajo Nation Detention/Correction Facility Bed Space Capacity		
Location	Total	
	Existing	Planned
Chinle <sup>a</sup>	19	48
Crownpoint	48	48
Dilkon	0	32
Fort Defiance	0	48
Kayenta	15	80
Pinon	0	32
Shiprock	32	48
Tuba City	20	132
Window Rock <sup>b</sup>	32	0
<b>Total</b>	<b>166</b>	<b>468</b>

<sup>a</sup> Currently using a juvenile facility to house adults that will be replaced by the new Chinle Public Safety Facility.

<sup>b</sup> Replaced by the planned Fort Defiance Public Safety Facility.



arrests or imprisonment sentences, then the number of guilty individuals released to the Navajo community would be greater than 841. Again, an intolerable situation that is reality on the Navajo Nation.

<sup>12</sup> Other than Part I offenses include assaults, forgery/counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution, sex offenses, drug abuse, gambling, driving while intoxicated (DWI), liquor laws, drunkenness, child abuse, domestic violence, suspicious persons, curfew and loitering, runaways, and all other less violent offenses.

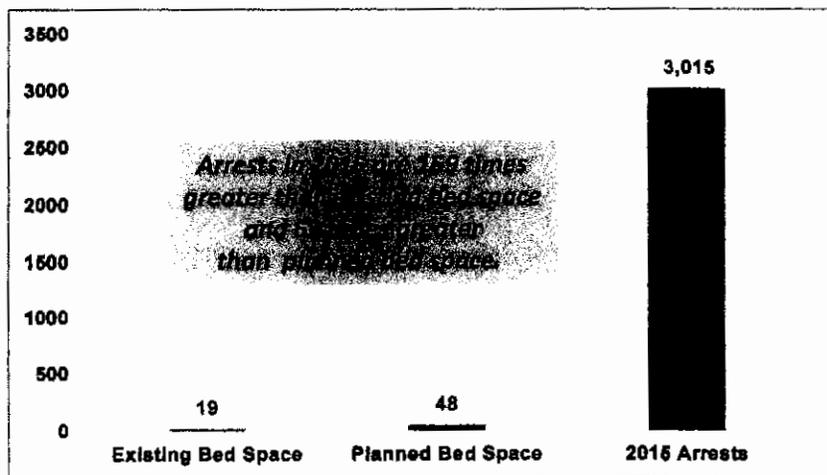
The large backlog of cases pending adjudication in the courts contributes to the large number of individuals requiring detention. Although these individuals have been neither judged nor sentenced, the nature of the crimes for which many are suspected warrants temporary detention. Regrettably, limited bed space precludes most, if not all, from serving detention until adjudication. At the end of calendar year, 2015 approximately one-fourth, or 25.6 percent, of the caseload was adjudicated, leaving 20,493 cases and as many arrestees awaiting trial. Most of these arrestees were undoubtedly released on their own recognizance and allowed to roam the Navajo Nation. Chinle, Pinon, Dilkon, Shiprock, Fort Defiance, and Kayenta comprised more than one-third of the court cases pending at the end of December 2015. Further compounding the adjudication of arrestees is the large number of unfiled cases. While complete information is not currently available, given the average arrest rate for other than Part I offenses for the three-years from 2013 to 2015—28,747—and the shortage of prosecutors, it is estimated that there are at least 300 unfiled arrest cases. This represents individuals that are awaiting trial and most likely are free to roam the Navajo Nation when they should be held in a detention/correction facility.

## 2.2 CHINLE JUDICIAL PUBLIC SAFETY FACILITY

The Chinle project is a large district judicial public safety facility comprising a peacemaking area, three courts, a 48-bed detention/correction area, and office space for 100 law enforcement officers and administrative personnel. Facility construction is 75 percent complete and currently requires furniture, fixtures, and equipment. Occupancy is anticipated in June 2016.

The number of Chinle arrests in 2015 for other than Part I offenses was 3,015; the average number of such arrests over the past three years (i.e., from 2013 to 2015) was 3,619.

Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged guilty. The ratio of bed space supply to arrests is deplorable. Consequently, the ability to detain arrestees until trial or imprison if found guilty is almost non-existent with either current or planned capacity.



## 2.3

# CHINLE REGIONAL PUBLIC SAFETY TRAINING ACADEMY

The planned Navajo Regional Public Safety Training Academy project, to be located in Chinle, AZ, will provide a state-of-the-art training campus for the NDPS. The 80-acre site will house a range of training options, including classrooms, auditoriums, a tactical village, driver training tracks, fire burn tower, fire-fighting scenario props, emergency medical technician training, prison cell mock-ups, and indoor and outdoor shooting ranges. The facility design will accommodate both new recruits for enrollment in full-time training academies and existing staff by providing advanced training, refresher training, and certification. Dormitory housing, full-service cafeteria, physical training venues, and medical facilities will be included to provide support for individuals attending the training facility. The vision for the campus is to provide a comprehensive solution for the public safety needs of the Navajo Nation. Additional working components to be incorporated on-site include a next generation emergency 9-1-1 call center, a training fire station, capability to integrate homeland security data, and an additional Navajo Nation emergency management operations center.

The planning, construction, operation, maintenance, and staffing of the training academy will offer significant employment opportunities to the Navajo Nation citizenry. The existence of the training academy will provide individuals oppor-

tunities to learn new skills or advance the level of their existing

### Significant Benefits of the Regional Public Safety Training Academy

- Economic development
- Improved standard of living
- Certification programs for NDPS personnel
- Job opportunities at NDPS for newly trained individuals
- Increase skills and proficiency of current NDPS personnel
- Employment opportunities in facility construction, operation, and maintenance

proficiency, and secure employment protecting the safety of Navajo Nation people and property. The collective benefits of establishing a regional public safety training academy will advance efforts to achieve economic development and improve the standard of living throughout the Navajo Nation. Further, potential joint use of this facility by the U.S. Department of Homeland Security would provide additional funding and security to the Navajo Nation.

Delaying funding the Navajo Regional Public Safety Training Academy project has multiple adverse impacts. Absent this facility, police officers must receive specialized or state-of-the-art training at off-Nation institutions. However, due to limited funds only a few select police officers are afforded this opportunity annually. This prevents all NDPS police officers from acquiring proficiency and certification in the latest law enforcement techniques necessary for ensuring their own safety while protecting the Navajo Nation people and property. Additionally, delaying funding this facility will seriously hinder providing the economic support much needed by the Navajo Nation population. It will also delay empowering the

Navajo people to grasp the opportunity to better their living condition through gaining skills in public safety that will improve the overall welfare of their community.

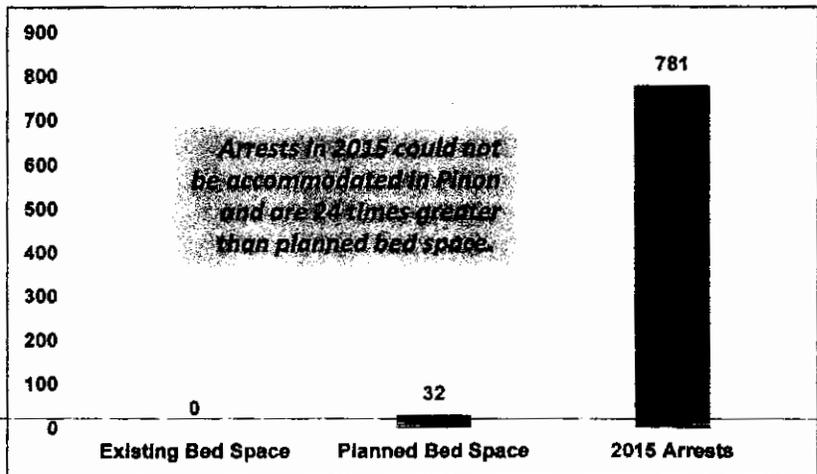
## 2.4 PINON JUDICIAL PUBLIC SAFETY FACILITY

The Pinon project is a small district judicial public safety facility comprising a peacemaking area, one court, a 32-bed short-term detention/correction area, and office space for 10 law enforcement officers and administrative personnel.

The number of Pinon arrests in 2015 for other than Part I offenses was 781; the

average number of such arrests over the past three years (i.e., from 2013 to 2015) was 884. Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged

guilty. The ratio of bed space supply to arrests is alarming. Consequently, the ability to detain arrestees until trial or imprison if found guilty was non-existent in 2015 and will not improve significantly with planned capacity.

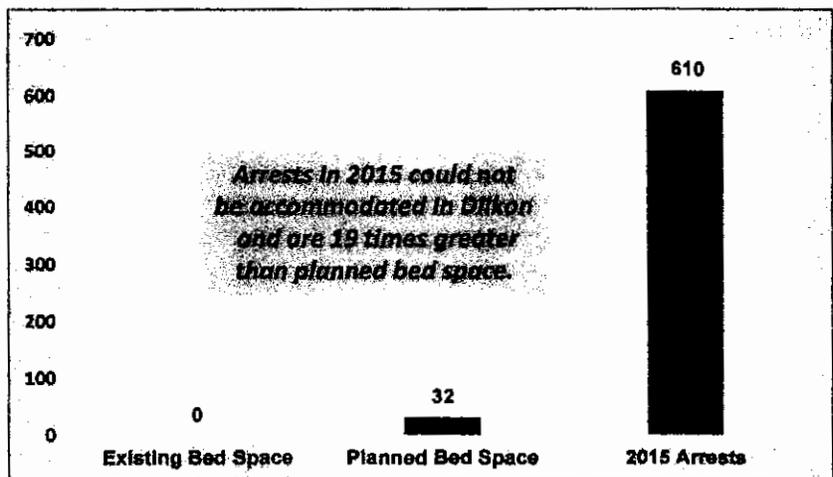


## 2.5 DILKON PUBLIC SAFETY FACILITY

The Dilkon project is a medium district judicial public safety facility comprising a peacemaking

area, two courts, a 32-bed detention/correction area, and office space for 30 law enforcement officers and administrative personnel.

The number of Dilkon arrests in

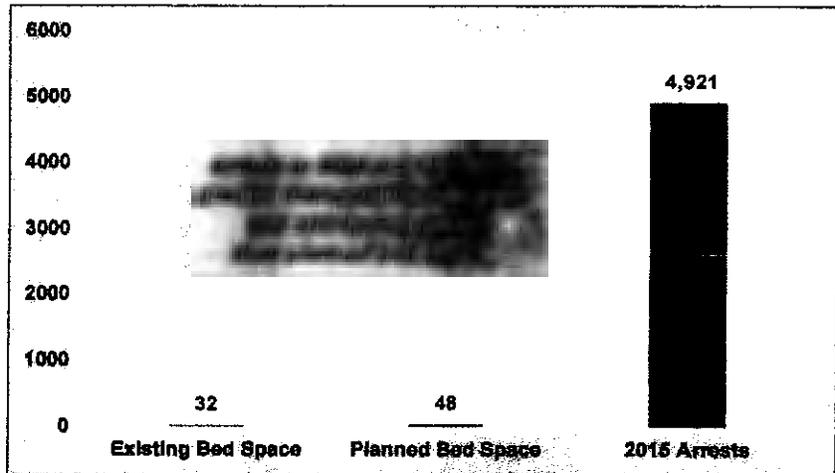


2015 for other than Part I offenses was 610; the average number of such arrests over the past three years (2013 to 2015) was 911. Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged guilty. The ratio of bed space supply to arrests is alarming. Consequently, the ability to detain arrestees until trial or imprison if found guilty was non-existent in 2015 and will not improve significantly with planned capacity.

## 2.6 SHIPROCK JUDICIAL PUBLIC SAFETY FACILITY

The Shiprock project is a large district judicial public safety facility comprising a peacemaking area, three courts, a 48-bed detention/correction area, and space for 100 law enforcement officers and administrative personnel.

The number of Shiprock arrests in 2015 for other than Part I offenses was 4,921; the average number of such arrests over the past three years (i.e., from 2013 to 2015) was 5,194. Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged guilty.



The ratio of bed space supply to arrests is staggering. Consequently, the ability to detain arrestees until trial or imprison if found guilty is almost non-existent with either current or planned capacity.

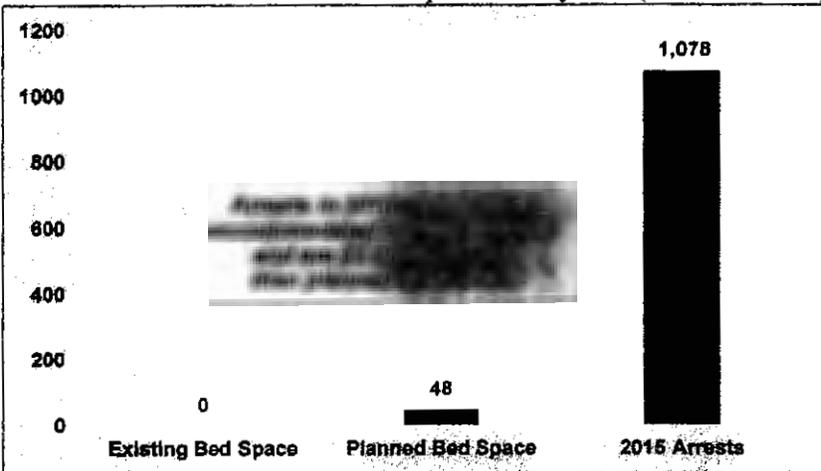
## 2.7

# FORT DEFIANCE JUDICIAL PUBLIC SAFETY FACILITY

The Fort Defiance project is a large district judicial public safety facility comprising a peacemaking area, three courts, a 48-bed detention/correction area, and space for 100 law enforcement officers and administrative personnel.

The number of Fort Defiance arrests in 2015 for other than Part I offenses was 1,078; the average number of such arrests over the past three years (2013 to 2015) was 1,280.

Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged guilty. The ratio of bed space supply to arrests is unacceptable. Consequently,



the ability to

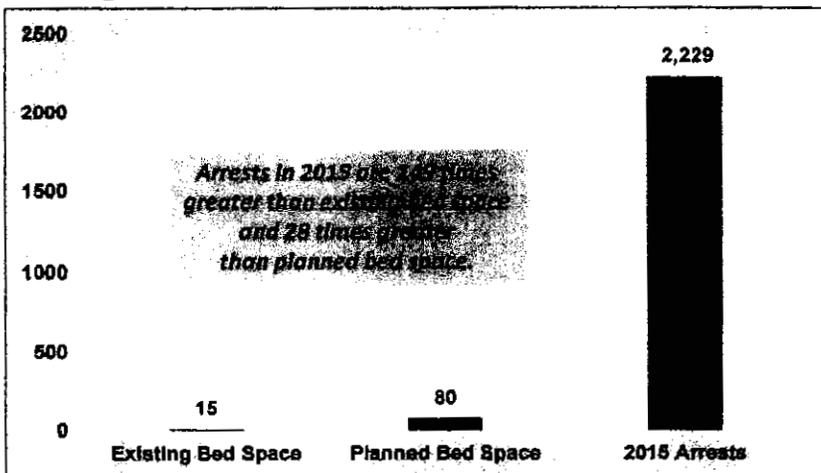
detain arrestees until trial or imprison if found guilty was non-existent in 2015 and will not improve significantly with planned capacity.

## 2.8

# KAYENTA MODIFIED JUDICIAL PUBLIC SAFETY FACILITY

The Kayenta project is a modified medium district judicial public safety facility comprising a peacemaking area, two courts, an 80-bed detention/correction area, and office space

for 30 law enforcement officers and administrative personnel. The Kayenta District has already proceeded with a separate initiative to design a small local detention facility.



The number of Kayenta arrests in 2015 for other than Part I offenses was 2,229; the average number of such arrests over the past three years (i.e., from 2013 to 2015) was 2,402. Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged guilty. The ratio of bed space supply to arrests is deplorable. Consequently, the ability to detain arrestees until trial or imprisonment if found guilty is almost non-existent with either current or planned capacity.

## 2.9 ESTIMATED FUNDING REQUIREMENT AND POTENTIAL SOURCES

The estimated cost to complete the seven public safety facilities is approximately \$260 million. Several candidate sources are preliminarily identified that have the capacity to supply the funds needed to complete the six public safety judicial facilities:

- Judicial/Public Safety Facilities Fund Management Plan
- Interest from the Navajo Nation trust fund
- Bank loans to the Navajo Nation
- Navajo Nation bonds
- Sh'hasin Fund
- U.S. Department of Justice Coordinated Tribal Assistance Solicitation (CTAS) Grants
- U.S. Bureau of Justice Assistance

Below are candidate funding sources to construct and operate the Navajo Regional Public Safety Training Academy:

### Construction Funding Sources

- U.S. Department of Agriculture, Office of Rural Development
- U.S. Department of Commerce
- U.S. Bureau of Indian Affairs, Office of Facilities Management and Construction
- U.S. Department of Justice Coordinated Tribal Assistance Solicitation (CTAS) Grants
- Arizona and New Mexico Tribal Infrastructure Funds
- Interest from the Navajo Nation trust fund

### Operation Funding Sources

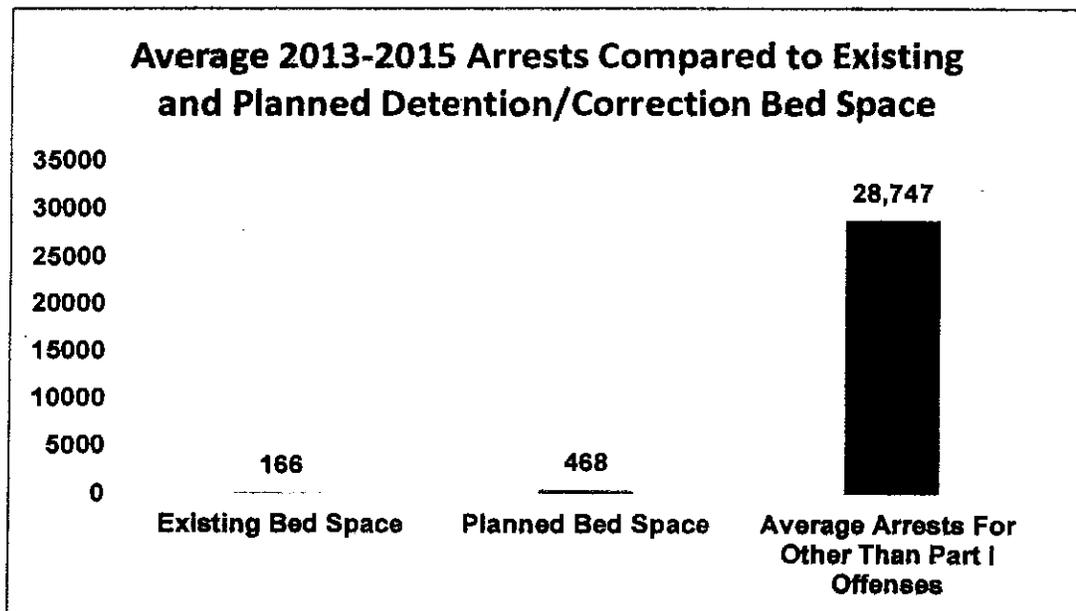
- U.S. Department of Education, Carl D. Perkins Career and Technical Education Act of 2006 grants
  - Student tuition fees
  - U.S. Department of Agriculture Forest Service (fire safety training grants)
  - U.S. Department of the Interior, National Park Service (public park and land security training grants)
  - U.S. Department of Health and Human Services grants
  - Interest from the Navajo Nation trust fund
  - Arizona, New Mexico, and Utah funds
  - U.S. Department of Justice Coordinated Tribal Assistance Solicitation (CTAS) Grants
-

# Section 3

## Summary

### 3.1 JUSTIFICATION OF URGENT NEED

The need to fund immediately the seven public safety facility projects is clear—arrests are pervasive and the total number overwhelms existing and planned detention/correction facility capacity by a staggering amount. Further, it is important that there are a sufficient number of detention/correction facilities located throughout the vast land mass of the Navajo Nation to enable families to visit prisoners without traveling great distances, and to promote rehabilitation among offenders serving sentences, such as work release programs. When there are no



places to house arrestees, incarceration as a deterrent to crime is severely undermined. Allowing individuals charged with a crime to roam the Navajo Nation rather than be detained until trial, or prematurely releasing inmates from correctional facilities, significantly perpetuates criminal behavior, jeopardizes the safety of citizens, and diminishes public trust in Navajo government. Lacking the strong deterrent of incarceration due to an insufficient number of bed space greatly handicaps law enforcement. Further, the inability to incarcerate individuals is inconsistent with a key elements of the TLOA and Title 17—extended imprisonment; and consequently contributes to the vicious cycle of crime and repeat offenses. Needless-to-say, public trust in the ability of law enforcement and the judicial system to protect the people and property of the Navajo Nation is severely damaged. Funding immediately the facilities necessary to establish a recognizable

deterrent to crime and a training academy to support and foster supplying public safety personnel will help restore law, order, and public trust to the Navajo Nation.

### 3.2 ESTIMATED FUNDING REQUIREMENT

The estimated total funds required to complete the seven NDPS facilities is approximately \$260 million. The need to provide the funding immediately to complete these facilities cannot be avoided. Collectively, they represent a recognizable deterrent to crime that is a Navajo Nation necessity.

To facilitate anticipated future funding decisions and expedite project execution, it is preferable to depict the estimated cost to complete the seven facilities in two distinct phases. The first phase comprises three of the public safety facilities and two important additional Navajo Nation public safety efforts estimated to cost \$2.8 million—an

emergency 9-1-1 and records management systems (RMS), and an Amber Alert system. Phase I includes \$14 million of the \$93.1 million required for the Chinle Regional Public Safety Training Academy; the remaining \$79.10 million are addressed in Phase II. Phase II comprises the remaining four public safety facilities.

<b>Estimated Funding Requirement to Complete Public Safety Facilities</b>	
<b>Facility</b>	<b>\$ Million</b>
Chinle Judicial Public Safety Facility	\$ 0.5
Chinle Regional Public Safety Training Academy	\$ 93.1
Pinon Judicial Public Safety Facility	\$ 33.0
Dilkon Public Safety Facility	\$ 34.0
Shiprock Judicial Public Safety Facility	\$ 49.0
Fort Defiance Judicial Public Safety Facility	\$ 48.0
Kayenta Modified Public Safety Facility	\$ 0.5
<b>Total</b>	<b>\$ 258.1</b>

<b>Estimated Funding Requirement to Complete Public Safety Facilities and Special Systems</b>	
<b>Facility</b>	<b>\$ Million</b>
<b>Phase I</b>	
Chinle Regional Public Safety Training Academy	\$ 14.00
Pinon Judicial Public Safety Facility	\$ 33.00
Dilkon Public Safety Facility	\$ 34.00
Emergency 9-1-1 System and RMS	\$ 1.95
Amber Alert System	\$ 0.85
<b>Phase I Total</b>	<b>\$ 83.80</b>
<b>Phase II</b>	
Chinle Regional Public Safety Training Academy	\$ 79.10
Chinle Judicial Public Safety Facility	\$ 0.50
Fort Defiance Judicial Public Safety Facility	\$ 48.00
Kayenta Modified Public Safety Facility	\$ 0.50
Shiprock Judicial Public Safety Facility	\$ 49.00
<b>Phase II Total</b>	<b>\$ 98.00</b>
<b>Grand Total for Phase I and Phase II</b>	<b>\$181.80</b>

<b>Estimated Funding Requirement to Complete Public Safety Facilities and Special Systems</b>	
<b>Facility</b>	<b>\$ Million</b>
<b>Phase I</b>	
Chinle Regional Public Safety Training Academy	\$ 14.00
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Dilkon Public Safety Facility	\$ 34.00
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<b>Phase I Total</b>	<b>\$ 83.80</b>
<b>Phase II</b>	
Chinle Regional Public Safety Training Academy	\$ 79.10
Chinle Judicial Public Safety Facility	\$ 0.50
Fort Defiance Judicial Public Safety Facility	\$ 48.00
Kayenta Modified Public Safety Facility	\$ 0.50
Shiprock Judicial Public Safety Facility	\$ 49.00
<b>Phase II Total</b>	<b>\$ 98.00</b>
<b>Grand Total for Phase I and Phase II</b>	<b>\$181.80</b>

# NAVAJO DIVISION OF PUBLIC SAFETY 9-1-1 PROJECT



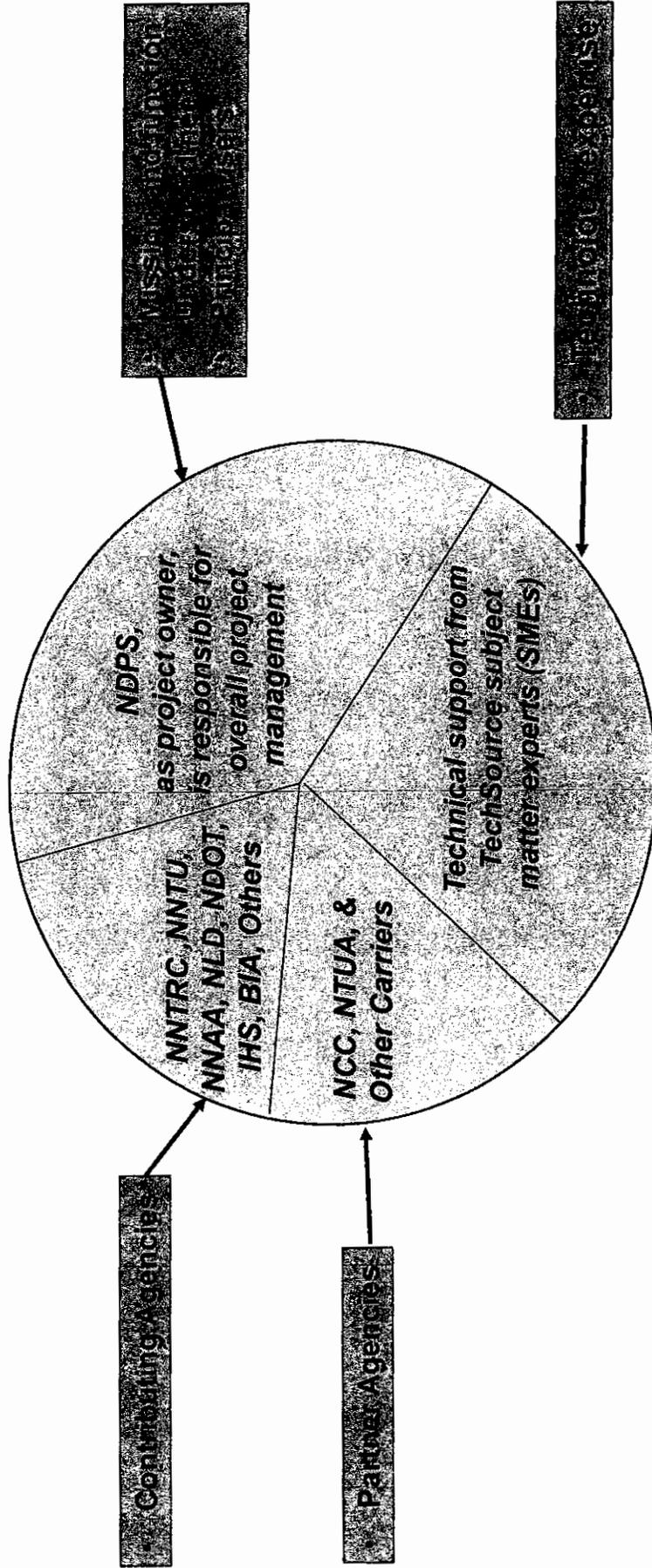
Prepared for  
Office of the President  
Navajo Nation

October 11, 2016

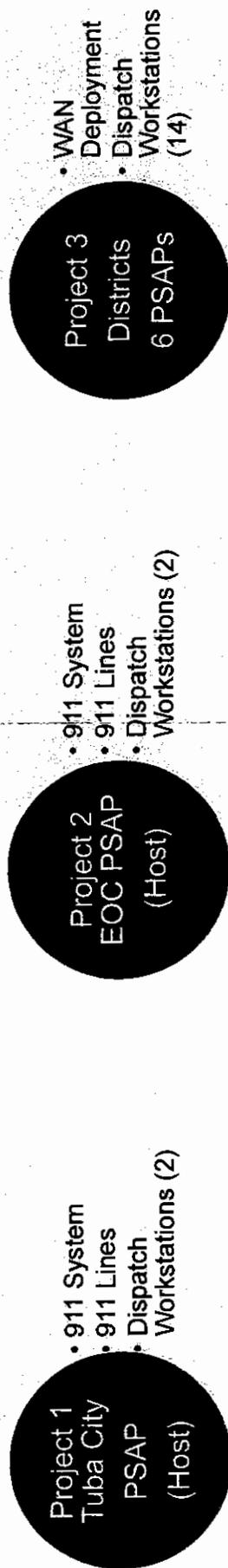
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# 9-1-1 PROJECT CONTRIBUTORS



# 9-1-1 Deployment for the Navajo Nation



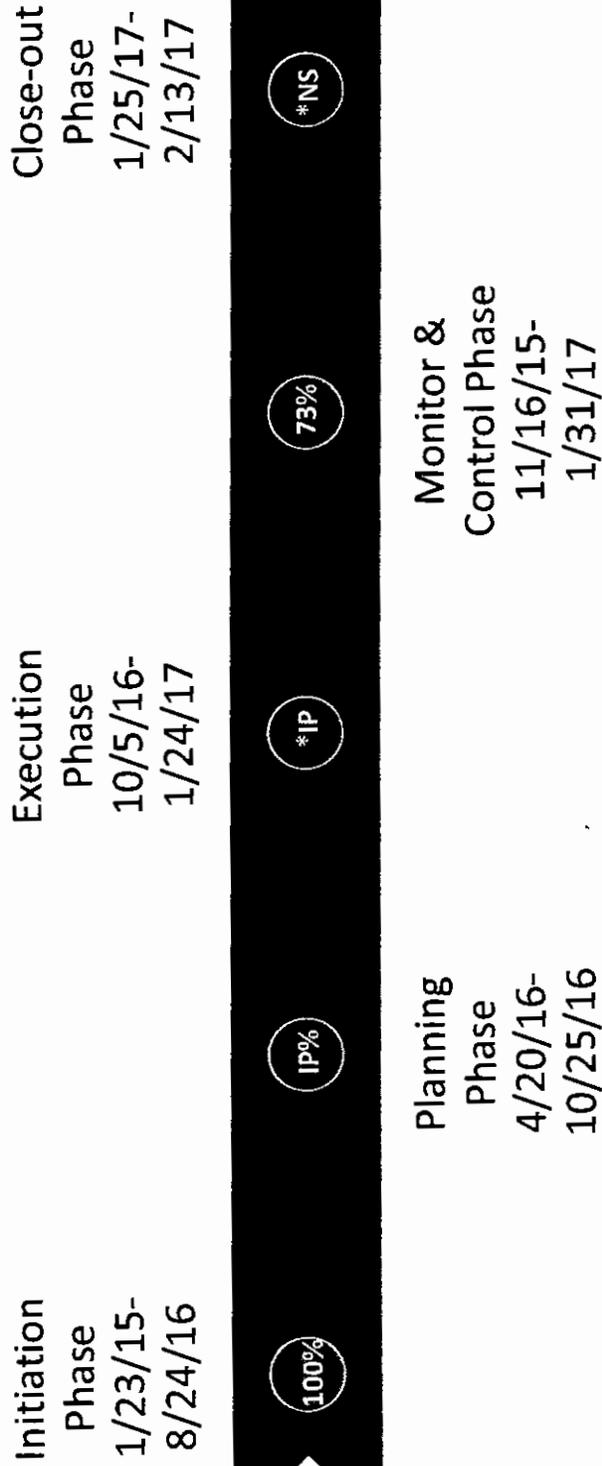
- 911 System
- 911 Lines
- Dispatch Workstations (2)

- 911 System
- 911 Lines
- Dispatch Workstations (2)

- WAN Deployment
- Dispatch Workstations (14)

- Reroute 9-1-1 Calls to dedicated 911 lines
- Development of GIS Location Database
- Design and Implement Wide Area Network (WAN)
- Request Wireless Phase II from cellular carriers (enables caller location data)
- Connect to Wireless Mobile Position Center (Retrieval of wireless location information)
- Connect to State's Selective Router or EsINet (Enable call transfers to/from counties)

# Project 1: Tuba City – 911 Implementation Timeline



\*IP = In Progress: Tasks have started but not completed  
 \*NS – Not Started

# Tuba City - 911 Detailed Project Plan

Tuba City 911 Implementation						
ID	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1	<b>Tuba City 911 Implementation</b>	537 days	Fri 1/23/15	Mon 2/13/17		
2	Initiation Phase	414 days	Fri 1/23/15	Wed 8/24/16		
3	ECW Contract Submitted to DPS	1 day	Fri 1/23/15	Fri 1/23/15		Teresa Richardson
4	ECD Contract to DOJ	1 day	Mon 5/18/15	Mon 5/18/15		Michele Tom
5	NN DOJ Approval	1 day	Tue 3/1/16	Tue 3/1/16		Regina
6	Contract Execution	1 day	Wed 8/24/16	Wed 8/24/16		Michele Tom
7	<b>Planning Phase</b>	135 days	Wed 4/20/16	Tue 10/25/16		
8	ECW Project Manager Assigned	1 day	Tue 10/4/16	Tue 10/4/16		Sharon Zwald
9	ECW Site Survey	14 days	Wed 10/5/16	Mon 10/24/16	8	ECW, NN
10	Wireline ALI	28 days	Wed 4/20/16	Fri 5/27/16		
11	Request NCC Subscriber Line Data	21 days	Wed 4/20/16	Wed 5/18/16		Teresa Richardson
12	Evaluate Record Data	7 days	Thu 5/19/16	Fri 5/27/16	11	Teresa Richardson
13	9-1-1 Trunks - Tuba City	1 day	Tue 10/25/16	Tue 10/25/16		
14	Order Trunks from NCC	1 day	Tue 10/25/16	Tue 10/25/16	9	Teresa Richardson, Mici
15	IT Infrastructure	118 days	Wed 5/4/16	Fri 10/14/16		
16	Discuss IT Requirements	1 day	Wed 5/4/16	Wed 5/4/16	54SS	Teresa Richardson, Bob
17	Evaluation of IT Infrastructure	65 days	Thu 5/5/16	Wed 8/3/16	16	Joe Cook
18	Provide Documented IT Infrastructure	52 days	Thu 8/4/16	Fri 10/14/16	17	Joe Cook
19	Revisions Required					
20	<b>Execution Phase</b>	80 days	Wed 10/5/16	Tue 1/24/17		
21	9-1-1 Trunks - Tuba City	61 days	Wed 10/26/16	Wed 1/18/17		
22	Installation of Trunks	49 days	Wed 10/26/16	Mon 1/2/17	14	NCC
23	Reroute 911 Wireline to 911 Trunks	1 day	Wed 1/18/17	Wed 1/18/17	24	NCC
24	IT Work Completion	43 days	Wed 10/5/16	Fri 12/2/16	8	Tech Source
25	ECW Onsite Installation	75 days	Wed 10/5/16	Tue 1/17/17	8	Tech Source, NN, ECW
26	Onsite Training	5 days	Wed 1/18/17	Tue 1/24/17	24	NN, ECW
27	Installation Complete	1 day	Wed 1/18/17	Wed 1/18/17	24	Tech Source, NN, ECW
28	Go Live	2 days	Wed 1/18/17	Thu 1/19/17	24	ECW
29	<b>Monitor and Control Phase</b>	317 days	Mon 11/16/15	Tue 1/31/17		
30	Weekly Status Meetings 877-273-4202	156 days	Mon 11/16/15	Mon 6/20/16		
31	Code 6056502					
32	Weekly Status Meetings	156 days	Tue 6/28/16	Tue 1/31/17		
62						

# **NDPS 9-1-1 Project Progress**

- THSGP Grant Award for 9-1-1 Project: 10/7/2015
- 9-1-1 System – Request for Proposal (RFP)
  - Awarded to ECW
  - Phase 1 Contracted
  - Phase 2 Design Phase
- State 9-1-1 Service Plans
  - New Mexico – Drafts Submitted: 2/6/15; 9/22/15 & 7/14/16
  - Arizona – Draft Submitted: 7/14/16; Final 10/5/16 (waiting state approval)
- GIS Team Meetings
  - Request for Information (RFI) to determine short list of available vendors
  - Solicit GIS sources from internal agencies and network carriers
    - Navajo Land Department; Arizona Public Service(APS); NTUA; Frontier; NNAA
- Wide Area Network(WAN): Assessment & Design
  - Joint meetings with DIT, NNTU, Frontier, NTUA
- Wireless 9-1-1
  - Completed geographic routing of Arizona wireless 9-1-1 calls to appropriate Navajo Nation PSAP
    - Teamed with State of Arizona 9-1-1 Authority and Intrado

# Initial 9-1-1 Funding

## Navajo DPS Funding

- Initial Tuba City PSAP – Project 1
  - \$187,326
  - DPS funded with division budget

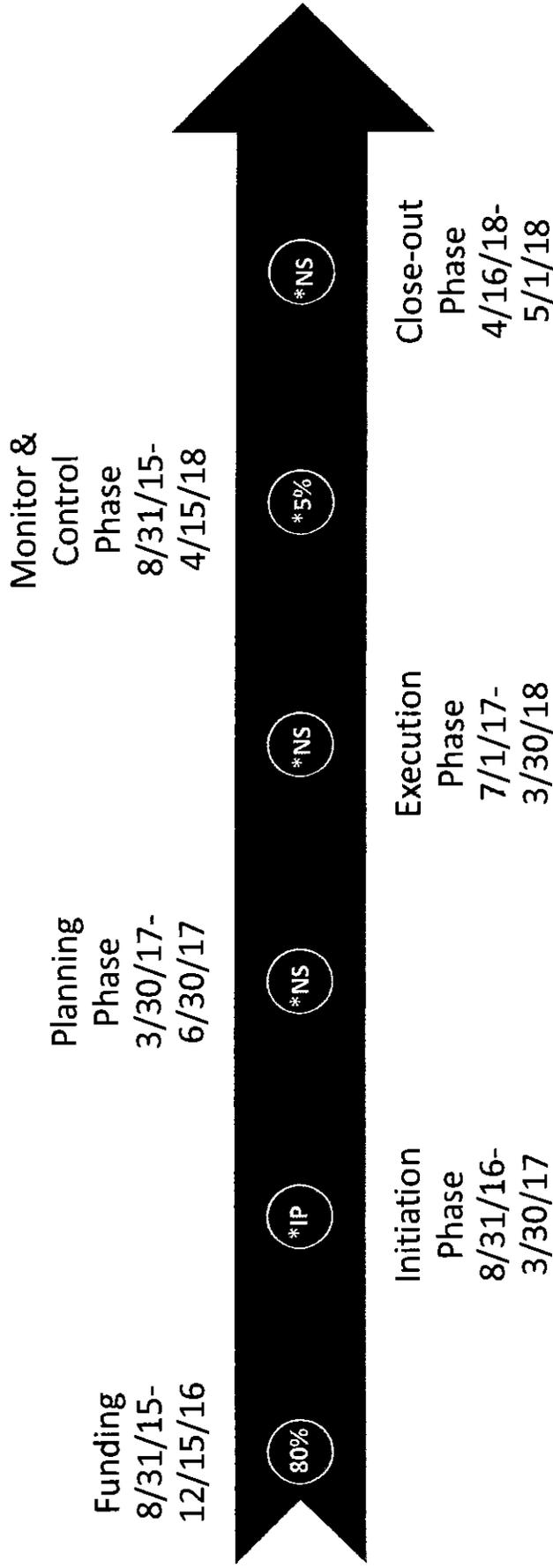
## DHS Grant

- 911 Expansion – Project 2 & Project 3
    - Grant Award of ~\$1.7 Million
    - 9-1-1 network, Equipment, and GIS Database
      - The GIS Database will continue to be enhanced over several years as additional data becomes available
-

# Regulatory Requirements to Establish Long Term Funding for 9-1-1

- **Long term funding – Telecommunications Service Fee**
    - 9-1-1 Universal Service Fee
      - Varies with AZ, NM & UT (\$0.20 /\$0.51/\$0.70)
      - States have limited funding
        - AZ: Moratorium on authorizing/funding new PSAPs
        - NM: Requires proof of commitment & county sponsorship
        - UT: Calls are not terminated within UT, so service fee participation not available
      - Approved 911 Service Plan – funding not guaranteed
  - **Recommend Navajo Nation develop service program**
    - FCC & State coordination
    - Legislation – Regulations to determine how money will be spent
    - Regulatory – Oversight, carrier management and auditing
-

# 911 Buildout (Project 2 & Project 3) Implementation Timeline (Estimate)



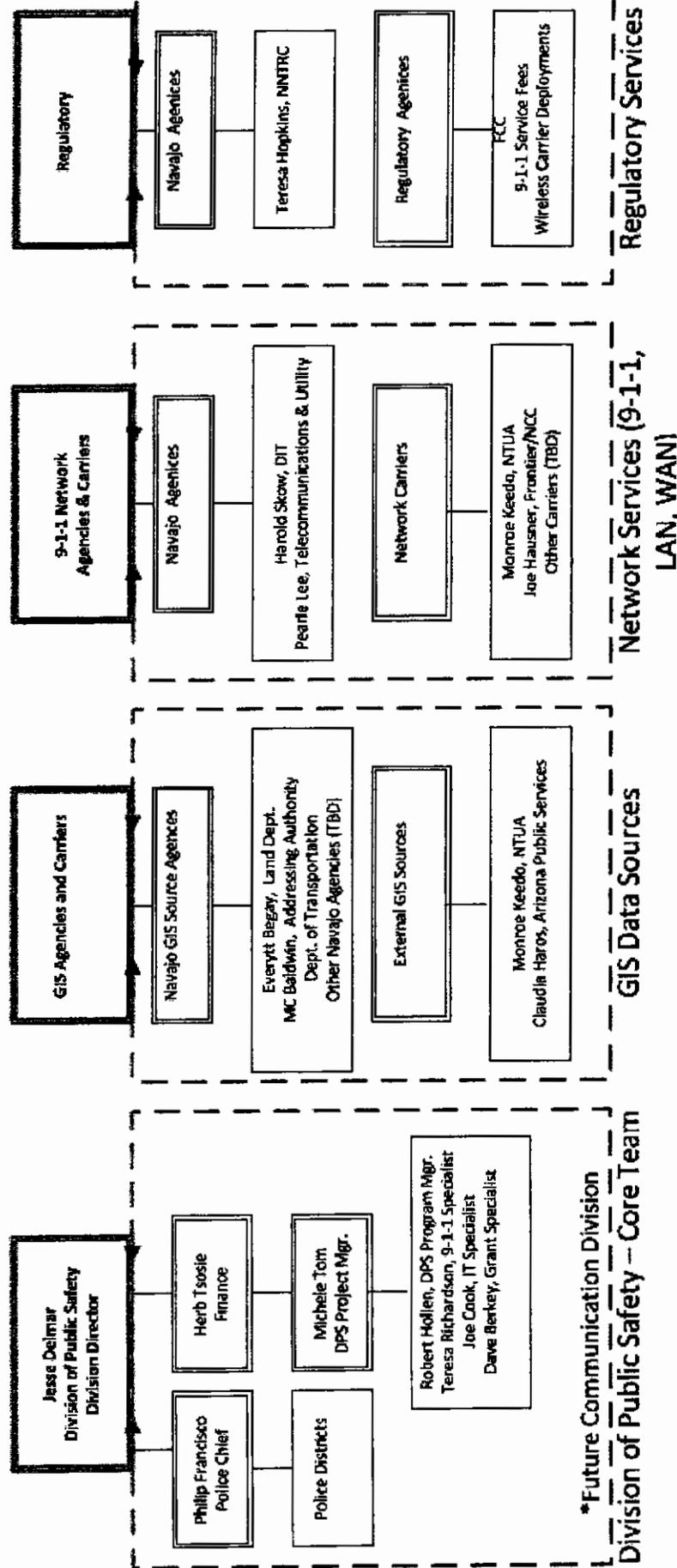
\*IP = In Progress: Tasks have started but not completed

\*NS = Not Started

# Critical Next Steps for 9-1-1 Deployment Project 2 & 3

- Finalize 9-1-1 System Contracts (ECW) –Buildout (Project 2 & 3)
  - Order 9-1-1 Trunks/Network Connectivity
  - Connect to Wireless MPC (P1/P2)
  - Obtain GIS sources
    - Evaluate, validate and consolidate GIS sources
    - Create master GIS base maps & layers
    - Create local database
    - Create plan for ongoing management
  - Modify 9-1-1 Routing to PSAP(s)
    - Coordination with wireline/wireless carriers & counties
  - Public Notification Campaigns
  - Program Resources
    - Internal: 9-1-1 Team, GIS Depts., Executive Sponsor, Regulatory, etc.
    - External: 9-1-1 Specialists, IT Specialists, Program Leadership, Carriers, Counties
-

# Navajo Nation 9-1-1 Project Contributors

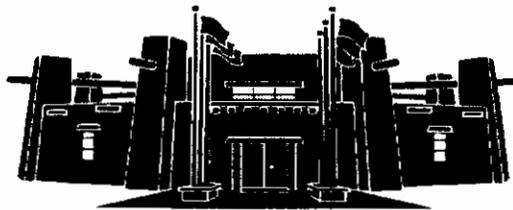


# Discussion and Questions

Michele Tom  
9-1-1 Project Manager

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911 Deployment Plan



**MEMORANDUM**

TO: Honorable Kee Allen Begay  
Tachee, Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain  
Chapters

FROM: Mariana Kahn  
Mariana Kahn, Attorney  
Office of Legislative Counsel

DATE: October 14, 2016

SUBJECT: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION  
RELATING TO AN EMERGENCY; APPROPRIATING \$3,800,000 FROM  
THE SÍHASIN FUND TO THE DIVISION OF PUBLIC SAFETY  
DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE  
EMERGENCY 911 SYSTEM, THE AMBER ALERT SYSTEM AND FOR THE  
RURAL ADDRESS SYSTEM

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0370-16 SPONSOR: Kee Allen Begay, Jr.

**TITLE: An Action Relating to EMERGENCY; Appropriating \$3,800,000 From The Sihasin Fund To The Division of Public Safety Department of Emergency Management For The Emergency 911 System, The Amber Alert System and for the Rural Address System**

*Date posted:* October 17, 2016 at 12:39pm

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Nav, ajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0370-16

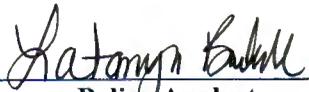
SPONSORS: Honorable Kee Allen Begay, Jr., Honorable Amber Crotty

TITLE: An Action Relating to EMERGENCY; Appropriation \$3,800,000 From The Sihasin Fund To The Division Of Public Safety Department Of Emergency Management For The Emergency 911 System, The Amber System And For The Rural Address System.

Posted: October 17, 2016 at 12:39 PM

Digital Comments received:

Comments Supporting	<i>1. Central Consolidated School District - Collen W. Bowman</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>1. M.C. Baldwin, Division of Community Development</i>

  
\_\_\_\_\_  
Policy Analyst  
Office of Legislative Services

1/10/17 1:48pm  
Date/Time



# **CENTRAL CONSOLIDATED SCHOOL DISTRICT**

**District Administration Complex  
P.O. Box 1199, Shiprock, NM 87420  
US Hwy 64 Old High School Rd  
Administration • 505-368-4984 • Fax 505-368-5232**

***A Community of Learners Dedicated to Building Lives***

October 19, 2016

Navajo Nation Council  
Honorable Speaker LoRenzo Bates  
Office of the Speaker  
P.O. Box 3390  
Window Rock, AZ 86515

Dear Honorable Speaker LoRenzo Bates,

The Central Consolidated School District implores the leadership of the Navajo Nation to immediately implement a fully functioning Amber Alert System on the Navajo Nation.

Our school district experienced the horrific loss of one of our students. CCSD employees were among the first responders to mobilize the search of our kidnapped student and then to experience the subsequent discovery of our brutally-murdered child.

The lack of a Navajo Nation Amber Alert communication system for reliable and factual information cost us dearly in valuable minutes that turned into hours of anxiety and despair of the unknown.

Our school district learned of Ashlynn Mike's disappearance through Facebook at 11:30 pm., hours after she had been missing.

I received the information and immediately mobilized the school district's transportation coordinator and director of facilities. I asked if either of them had been contacted by law enforcement; neither of them had been contacted. They made a house visit to talk to Ashlynn's bus driver to seek our own information about what may have happened to her. It should be noted that the police had not even talked to the bus driver.

We continued to monitor Facebook and determined there was an informal search happening at the Shiprock Pinnacle. Multiple calls to the Navajo Police Department to talk to the lead in this matter were never returned.

We decided to drive out to the Pinnacle to help and to see what resources we needed to mobilize for the search. As we were turning off Hwy. 491, a lot of vehicles were leaving the area

with an ambulance at the rear without its lights activated. We called Dispatch again to request information. We were again told the lead officer would get back to us.

We checked Facebook for any updates and learned that Ashlynn's uncle was still out there and he wasn't going to stop looking. We decided we were going to help him and we began our search of the vast area of the Shiprock Pinnacle without any help from the Navajo Police Department to guide our efforts.

Had an Amber Alert System been put in place, we would not have had to rely on Facebook postings; however, the information was invaluable in creating awareness that our students were in trouble and needed help. I can guarantee that CCSD would have mobilized its employees and resources sooner to actively search for our students if the police had kept us in the loop. Unfortunately, we were told nothing by law enforcement and no one returned our calls for information.

CCSD leadership continued to search through the night. A final call was made to the Navajo Police dispatch. They informed us that search and rescue would be meeting at 8:45 a.m. at the BIA office in Shiprock. We left the area as the sun was rising feeling anxious as we still had not found our student.

I contacted the principal at Ojo Amarillo Elementary School to ask if she had been contacted about her student's situation. No one had contacted her so I relayed the limited information we knew so she could prepare her teachers and students for any possible questions from outsiders about Ashlynn's disappearance.

All available CCSD central office employees reported to the BIA for an active search and rescue. We mobilized our staff, ordered meals for the searchers, brought in ATVs, porta potties, walkie-talkies, fluorescent vests, water, and other items necessary to complete the task. Needless to say, the recovery of our student who was deceased was a devastating blow to our district and the many communities we serve.

Implementation of the Amber Alert system is critical to the protection of all children. It is the communication lifeline that helps put resources where they have the most impact. Had someone communicated to us to search on the south side of the road, we would have gone down every side road from Hwy. 491 up to the pinnacle just as we did on the north side of the road. We may have been able to discover our student at some point during the night. That is something we will never know because no communication system was available to coordinate the search and rescue.

Months have passed since this tragic event and we have learned that the Amber Alert system is still not in place on the Navajo Nation.

We respectfully ask that the leadership of the Navajo Nation make this a true priority for the benefit of all Navajo children and other missing persons. If our school district can help assist in this effort, please contact us. We have people resources that can help work on this project as true partners for the safety of our children.

Respectfully,

A handwritten signature in black ink, appearing to read "Colleen W. Bowman". The signature is fluid and cursive, with a large loop at the end.

Dr. Colleen W. Bowman  
Interim Superintendent

CC: Sharon Clahchischilliage, NM State Representative  
Rickie Nez, San Juan Chapter President  
Gary Mike, Father of Ian and Ashlyne Mike  
File

# Navajo Council Amber Alert 0370-16 Legislation

James Preminger <premj@centralschools.org>

Wed 10/19/2016 4:30 PM

To: comments <comments@navajo-nsn.gov>;

1 attachment

CCSD Oct 19 2016 Letter to Navajo Nation Council Honorable .pdf;

To: Navajo Nation Council

Subject: Navajo Nation Council Amber Alert 0370-16 Legislation

Oct. 19, 2016

Greetings,

Please see the attached letter from Central Consolidated School District Interim Superintendent Dr. Colleen W. Bowman.

Thank you,

James Preminger  
Public Relations and Information Officer  
Central Consolidated School District  
P.O. Box 1199  
Shiprock, N.M. 87420  
premj@centralschools.org  
[www.ccsdnm.org](http://www.ccsdnm.org)  
505-801-0248 cell  
505-368-4984, ext. 20132 office

# Legislation 0370-16

M. C. B. <mcbaldwin@nndcd.org>

Thu 10/20/2016 10:16 PM

To: comments <comments@navajo-nsn.gov>;

M. C. Baldwin, GIS/Rural Addressing Coordinator  
Division of Community Development - Navajo Nation Addressing Authority  
P. O. Box 1904  
Window Rock, AZ. 86515  
contact email: [mcbaldwin@nndcd.org](mailto:mcbaldwin@nndcd.org)

Please be advised that Rural Addressing is the primary focus for (NNAA) Navajo Nation Addressing Authority under (DCD) Division of Community Development ; no one from the sponsorship of this legislation contacted NNAA staff at DCD during the development of this legislation

There is no indication in the legislation that indicates how (DPS-DEM) Division of Public Safety - Department of Emergency Management would pursue the rural addressing activities ; NNAA had reached out to DPS more than once including the invitation to attend training that is offered every month

DCD-NNAA has been given the lead role to provide technical guidance to Navajo Nation Chapters and other interested parties for rural addressing activities by resolution prior to FY10; it is the Navajo Nation Council's legislative oversight committee that approved this responsibility that involved the E9-1-1 Office under Telecommunication & Utilities Department to move under Division of Community Development ; to this day, NNAA provide monthly training for (LRAC) Local Rural Addressing Committee ; Chapters identify individuals to serve on the LRAC team to [focus on rural addressing tasks](#)

Under NNAA guidance, LRAC members record address points within their communities ; these points are converted to geo-spatial dataset (shapefiles) for (GIS) Geographic Information System mapping environment ; this process is critical for centerline development that represents roads and streets that are identified for generating physical addresses

I feel that funding for rural addressing allocated to DPS-DEM will interfere with the structure that is already in place by DCD-NNAA

--

M. C. Baldwin, *GIS/Rural Addressing Coordinator*  
928.871.7091, x-7182, x-7157 (NN Addressing Authority) ; [nnaa.nndcd.org](http://nnaa.nndcd.org)  
*Division of Community Development (a.k.a. Rural Addressing)*  
Administrative Building #2 ; South Side - Second Floor

**23<sup>rd</sup> NAVAJO NATION COUNCIL  
Second Year 2016**

The **NAVAJO NATION COUNCIL** to whom has been assigned:

**NAVAJO LEGISLATIVE BILL #0370-16**

An Action Relating to an EMERGENCY; Appropriating \$3,800,000 from the Síhasin Fund to the Division of Public Safety Department of Emergency Management for the Emergency 911 System, the Amber Alert System and for the Rural Address System

*Sponsored by: Honorable Kee Allen Begay, Jr.*

Has had it under consideration and reports the same was **REFERRED TO STANDING COMMITTEES (LAW AND ORDER COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, AND NAABIK'ÍYÁTI' COMMITTEE)**

Respectfully Submitted,



*Honorable LoRenzo Bates, SPEAKER  
NAVAJO NATION COUNCIL*

**19 OCTOBER 2016**

**REFERRAL MOTION:**

Motion to refer to standing committees (Law and Order Committee, Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, and Naabik'íyáti' Committee)

*Motioned by: Honorable Dwight Witherspoon*

*Seconded by: Honorable Benjamin Bennett*

*Vote: 10 in Favor, 09 Opposed (Speaker Bates not voting)*

**MAIN MOTION:**

*Motioned by: Honorable Nathaniel Brown*

*Seconded by: Honorable Raymond Smith, Jr.*

**VOTE:**

NAVAJO NATION

RCS# 662

10/19/2016

NNC Fall Session

05:10:44 PM

Amd# to Amd#

Refer to back to standing committees

PASSED

MOT Witherspoon

SEC Bennett

Yea : 10

Nay : 9

Not Voting : 3

Yea : 10

Bennett  
Chee  
Damon

Daniels  
Pete  
Slim

Tsosie  
Witherspoon

Yazzie  
Yazzie, P

Nay : 9

Begay, K  
Begay, NM  
BeGaye, N

Brown  
Crotty

Hale  
Perry

Shepherd  
Smith

Not Voting : 3

Bates  
Filfred

Jack

Phelps

Tso

LAW AND ORDER COMMITTEE  
23<sup>RD</sup> NAVAJO NATION COUNCIL

SECOND YEAR 2016

COMMITTEE REPORT

Mr. Speaker,

The LAW AND ORDER COMMITTEE to whom has been assigned:

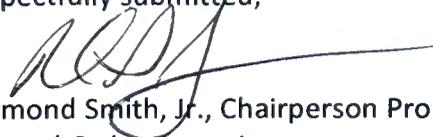
**Legislation No. 0370-16:** An Action Relating to an Emergency; Appropriating \$3,800,000 from the Sihasin Fund to the Division of Public Safety Department of Emergency Management for the Emergency 911 System, the Amber Alert System and for the Rural Address System – Sponsors: Hon. Kee A. Begay, Jr./Hon. Amber Kanazbah Crotty

Has had it under consideration and reports the same with the recommendation that it **DO PASS** with one amendment:

Page 3 of 3, line 14, change the amount from \$3,800,000 to \$5,418,960 per attached new budget.

And thereafter referred to Health, Education and Human Services Committee

Respectfully submitted,



Raymond Smith, Jr., Chairperson Pro Tem  
Law and Order Committee  
23<sup>rd</sup> Navajo Nation Council

Date: November 14, 2016

Amendmennt No. 1

Motion: Honorable Herman Daniels, Jr.

Second: Honorable Otto Tso

Vote: 2-0

Main Motion: Honorable Herman Daniels, Jr.

Second : Honorable Otto Tso

Vote : 2-0 (Chairperson Pro Tem not voting)

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: 116001		Program Title: NG 9-1-1 and RMS/CAD System		Division/Branch: Public Safety				
Prepared By: Michele Torn		Phone No.: 928-871-7584		Email Address: mmtom@navajo-nsn.gov				
PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total				
S: Hasin		10/01/16 - 09/30/17	5,418,960.00	100%				
PART III. BUDGET SUMMARY					(A)	(B)	(C)	
					Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
2001	Personnel Expenses				1		118,960	118,960
3000	Travel Expenses							0
3500	Meeting Expenses							0
4000	Supplies				1	3,600,000	3,600,000	3,600,000
5000	Lease and Rental							0
5500	Communications and Utilities							0
6000	Repairs and Maintenance				1	250,000	250,000	250,000
6500	Contractual Services				1	1,100,000	1,100,000	1,100,000
7000	Special Transactions							0
8000	Public Assistance							0
9000	Capital Outlay				1	350,000	350,000	350,000
9500	Matching Funds							0
9500	Indirect Cost							0
TOTAL						\$0.00	5,418,960.00	5,418,960
PART IV. POSITIONS AND VEHICLES					(D)	(E)		
					Total # of Positions Budgeted:	0	2	
					Total # of Permanently Assigned Vehicles:	0	0	
TOTAL:						\$5,418,960.00	100%	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY:  Philip Francisco, Chief of Police					/ 01/28/16			
APPROVED BY:  Jesse Delmar, Division Director					102-316			
APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date								

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2017

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: NG 9-1-1 and RMS/CAD System		116001	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
<b>2001 PERSONNEL EXPENSES</b>			118,960
	Employee Salary, Fringe Benefits, Salary Adjustments, and Merit Payment for eligible personnel		
2110	Regular	80,000	
2900	2120 Two(2) Regular Full Time positions Fringe Benefits	38,960	
	2910 Fringe Benefits for two positions (\$80,000 x 48.70%)		
<b>4000 SUPPLIES</b>			3,600,000
	Desktop supplies, folders, envelopes, pens, pencils, Power Point projector, laptops and partitions Computer/Xerox toner cartridges, Printing of manuals, brochures, bundling, photocopying and publication subscription, Purchase vehicle parts (tires, lubes, etc.)		
4200	Non Capital Assets	900,000	
	4220 Non-Cap Analytical Equipment (RMS/CAD and NG 911)		
	4230 Non-Cap Computer Equipment (RMS/CAD and NG 911)		
	Operating Supplies	2,700,000	
	4440 Non-Cap Computer Software (RMS/CAD and NG 911)		
<b>6000 REPAIRS AND MAINTENANCE</b>			250,000
	Annual repair and maintenance fees for furniture, equipment, and computer upgrade hardware		
6300	Technology	250,000	
	6310 Computer Hardware R&M		
	6320 Software Support for RMS/CAD and 9-1-1 call system (Maintenance Cos		
<b>TOTAL</b>		<b>3,968,960</b>	<b>3,968,960</b>

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2017

PART I. PROGRAM INFORMATION:		Business Unit No.: 116001	
Program Name/Title: NG 9-1-1 and RMS/CAD System			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
<b>6500 CONTRACTUAL SERVICES</b>	Professional Services for various program initiatives. Contractual services for specialized services		1,100,000
6520	Consulting		
	6530 Fees Estimated \$ 900,000.00		
	6540 Expense Estimated \$ 200,000.00	1,100,000	
<b>9000 CAPITAL OUTLAY</b>	For equipment above the \$5,000.00 threshold.		350,000
9140	Equipment	350,000	
	9142 Equipment \$150,000.00		
	9144 Analytical equipment \$100,000.00		
	9146 Computers \$100,000.00		
<b>TOTAL</b>		<b>1,450,000</b>	<b>1,450,000</b>

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

FY 2017

<b>PART I. PROGRAM INFORMATION:</b> Business Unit No.: <u>116001</u> Program Name/Title: <u>NG 9-1-1 and RMS/CAD System</u>																									
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b> (GSCJA_04-08) The purpose of the Navajo Police Department is to enforce all Navajo Nation laws within the territorial jurisdiction of the Navajo Nation, as defined by Title N.N.C. §254 & 18 U.S.C. §1151, to provide effective and efficient law enforcement services on a twenty-four (24) hour basis to protect life and property, and to screen all police personnel to determine their level of enforcement skills and knowledge and provide them with the necessary law enforcement education to achieve full potential as Navajo Nation law enforcement officers. The application of these objectives are subject to availability of funds.																									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>																									
1. Program Performance Area: Replace current RMS Cody Goal Statement: Purchase RMS/CAD for division	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>1</td> <td></td> <td>1</td> <td></td> <td>1</td> <td></td> </tr> </tbody> </table>	1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	1		1		1		1	
1st QTR		2nd QTR		3rd QTR		4th QTR																			
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual																		
1		1		1		1																			
2. Program Performance Area: Replace current computer hardware Goal Statement: Purchase computer hardware for districts	<table border="1" style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td>1</td><td></td><td>1</td><td></td><td>1</td><td></td><td>1</td><td></td> </tr> </tbody> </table>	1		1		1		1																	
1		1		1		1																			
3. Program Performance Area: Establish NG 9-1-1 at seven districts Goal Statement: Implement NG 9-1-1 at seven districts	<table border="1" style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td>1</td><td></td><td>2</td><td></td><td>2</td><td></td><td>2</td><td></td> </tr> </tbody> </table>	1		2		2		2																	
1		2		2		2																			
4. Program Performance Area: Replace current dispatcher hardware Goal Statement: Purchase hardware for dispatchers	<table border="1" style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td>1</td><td></td><td>2</td><td></td><td>2</td><td></td><td>2</td><td></td> </tr> </tbody> </table>	1		2		2		2																	
1		2		2		2																			
5. Program Performance Area: Goal Statement:	<table border="1" style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </tbody> </table>																								
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>																									
Program Manager's Printed Name and Signature/Date _____ 10/28/16	Division Director/Branch Chief's Printed Name and Signature / Date <i>[Signature]</i> 102816																								

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to who has been assigned;

LEGISLATION NO. 0370-16

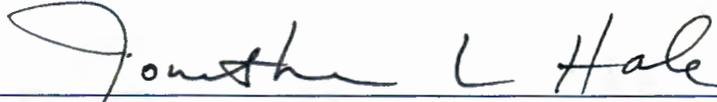
AN ACTION RELATING TO AN EMERGENCY; APPROPRIATING \$3,800,000 FROM THE SIHASIN FUND TO THE DIVISION OF PUBLIC SAFETY DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE EMERGENCY 911 SYSTEM, THE AMBER ALERT SYSTEM AND FOR THE RURAL ADDRESS SYSTEM

*Sponsor: Honorable Kee Allen Begay;*

*Co-Sponsor: Honorable Amber Kanazbah Crotty*

Has had under consideration and report the same with the recommendation that Legislation 0370-16 PASS with no amendment and no directive; And therefore referred the same to the RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



---

Jonathan L. Hale, Chairperson  
Health, Education and Human Services Committee

Dated: November 28, 2016

**Main Motion**

Motion by: Honorable Peterson Yazzie

Seconded by: Honorable Norman M. Begay

Vote: 4 in favor; 0 Opposed and 1 Abstain;

Chairperson Not Voting