

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 legislaion 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

23rd NAVAJO NATION COUNCIL – Second Year, 2016

INTRODUCED BY

(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.

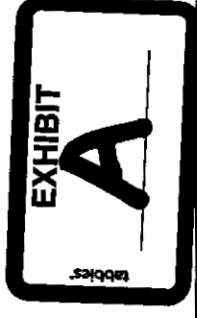
6 D. The Navajo Nation Council finds that an emergency exists to protect the residents
7 of the Navajo Nation through the use of the Emergency 911 System, the Amber
8 Alert System, and the Rural Addressing System. This \$3,800,000 funding would
9 provide disaster relief services. This emergency arises 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		
		10/1/2016-9/30/2017	\$ 3,800,000.00	100%	Fund Type Code	NNC Approved Original Budget (A)	Proposed Budget (B)
Sithasin Funding							
					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	
					TOTAL \$		\$ 3,800,000.00
							\$ 380,000.00

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Permanently Assigned Vehicles:		0	0

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

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

[Signature] 10/14/16

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

[Signature] 10-14-16

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2017

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Business Unit No.: 116019			
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
5520	5500 COMMUNICATIONS & UTILITIES 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 5580: DSL 5590: T-1 5600: Internet Services	\$ 1,266,667.00	
5610	WIRELESS 5620: Cellular 5630: Two Way Radio 5640: Satellite	\$ 1,266,666.00	
TOTAL		\$ 3,800,000.00	\$ 3,800,000.00

NAVAJO DIVISION OF PUBLIC SAFETY FUNDING REQUEST

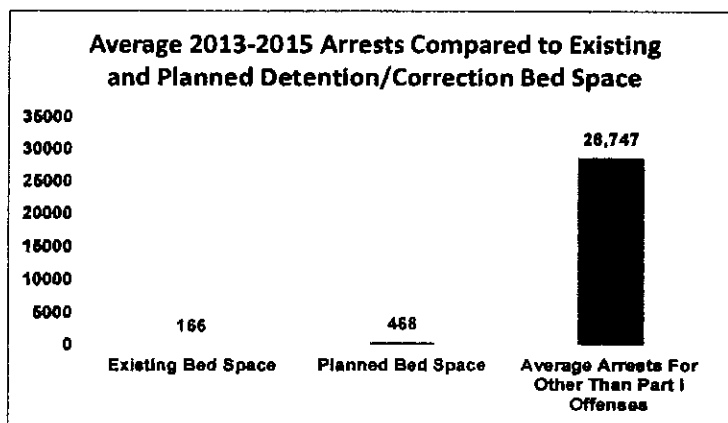


MAY 25, 2016

Executive Summary

Public 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

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).¹

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.

¹ 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.² 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]³
- 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)⁴
- 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 2013⁵

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-

² *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.

³ *Ibid*, p. 26.

⁴ Navajo Nation Criminal Code Title 17, Chapter 3, Offenses.

⁵ Tribal Court Clearinghouse, *The Violence Against Women Act – Title LX: Safety for Indian Women*, 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.⁶

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.⁷ Hence, there is no distinction between the Navajo Nation detention and correction facilities, as the same facility is utilized for both purposes.⁸ 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).

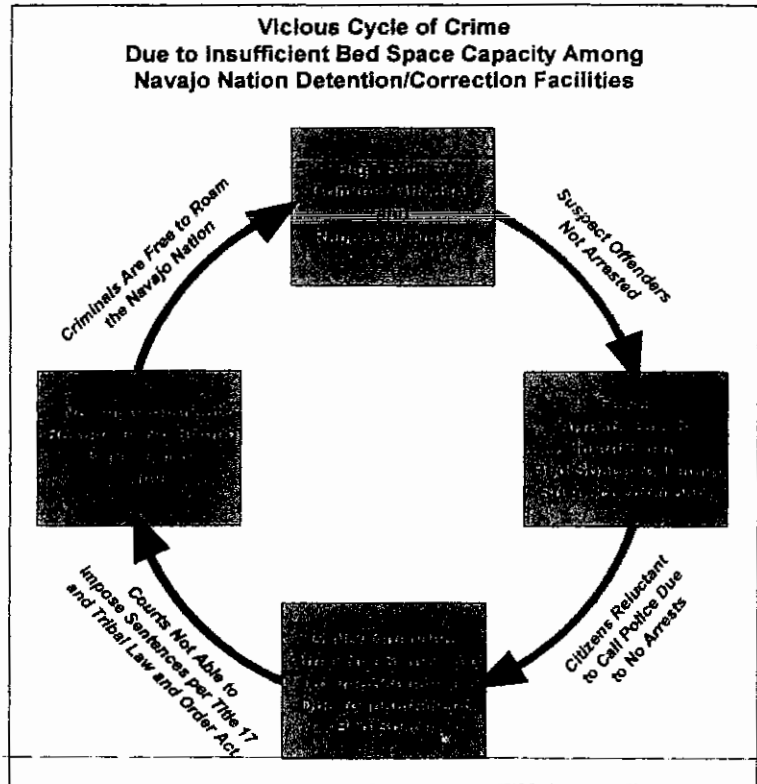
Consequently, citizens are often reluctant to request help from police officers or report crime because they have little confidence that law enforcement or the judicial system will take appropriate action; they also fear retaliation from offenders who are neither detained nor imprisoned.

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

⁷ 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.

⁸ 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

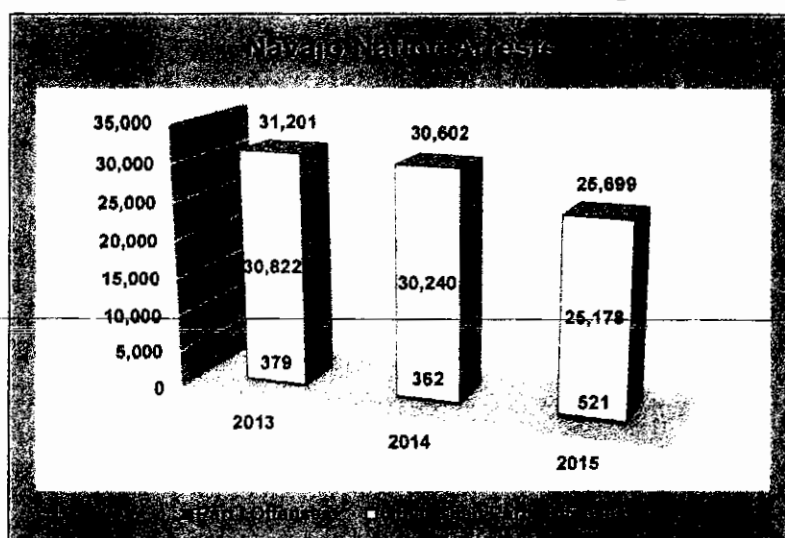
2.1.1 Offenses on the Navajo Nation

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 2015.¹¹ 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



¹¹ 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—28,747.¹² 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.

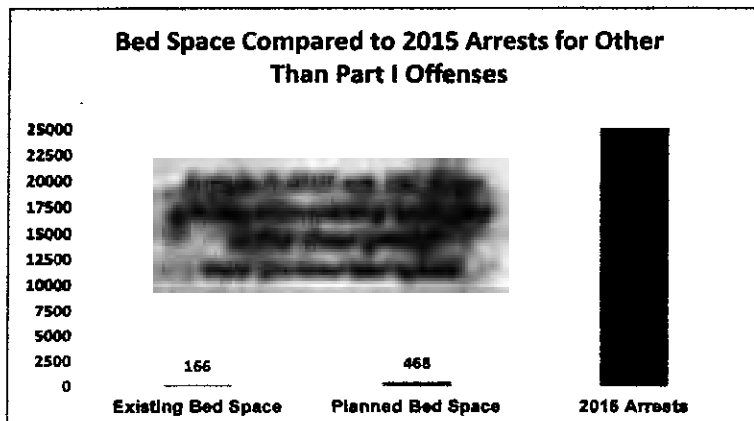
2.1.2 Detention and Correction Facility Capacity

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 ^a	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 ^b	32	0
Total	166	468

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

^b 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.

¹² 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.

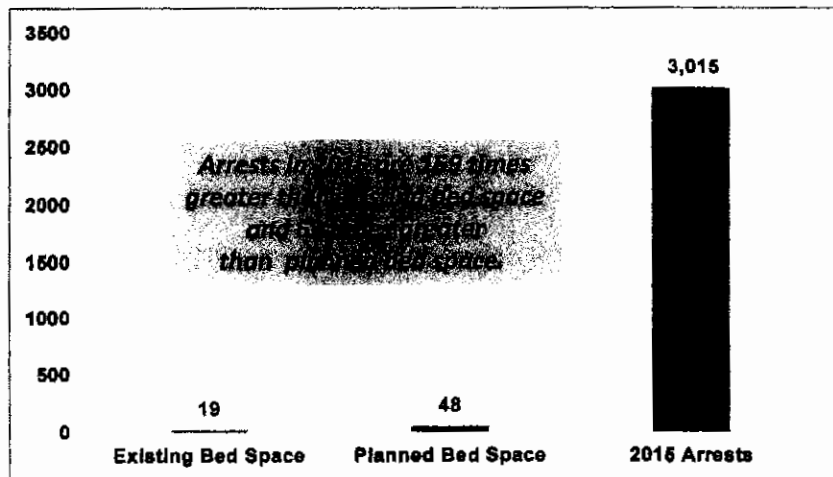
The large backlog of cases pending adjudication in the courts contributes to the large number of individuals requiring detention. Although these individuals have been neither judged nor sentenced, the nature of the crimes for which many are suspected warrants temporary detention. Regrettably, limited 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

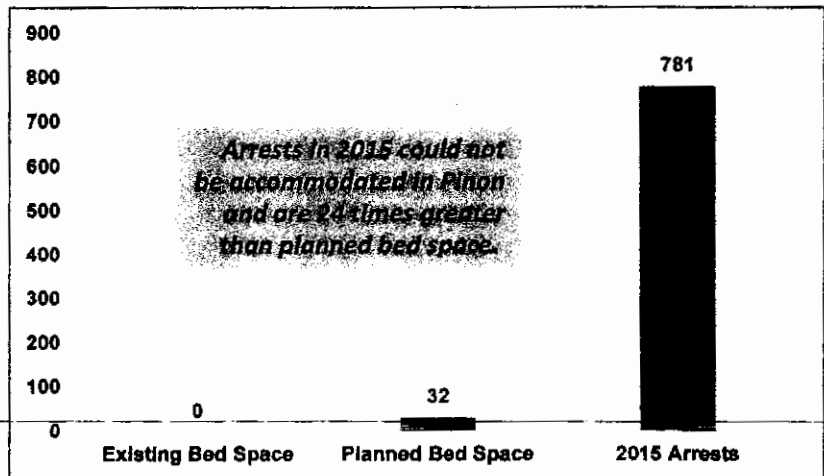
The Pinon project is a small district judicial public safety facility comprising a peacemaking area, one court, a 32-bed short-term detention/correction area, and office space for 10 law enforcement officers and administrative personnel.

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 sup-

ply 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.

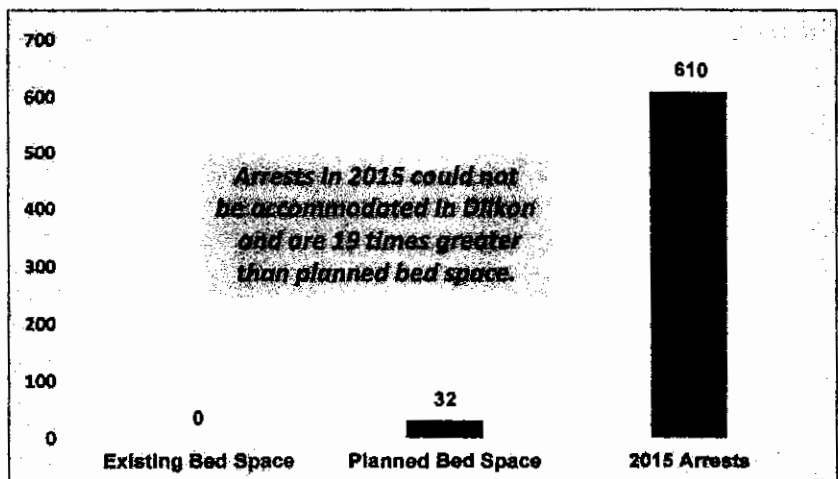


2.5 DILKON PUBLIC SAFETY FACILITY

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

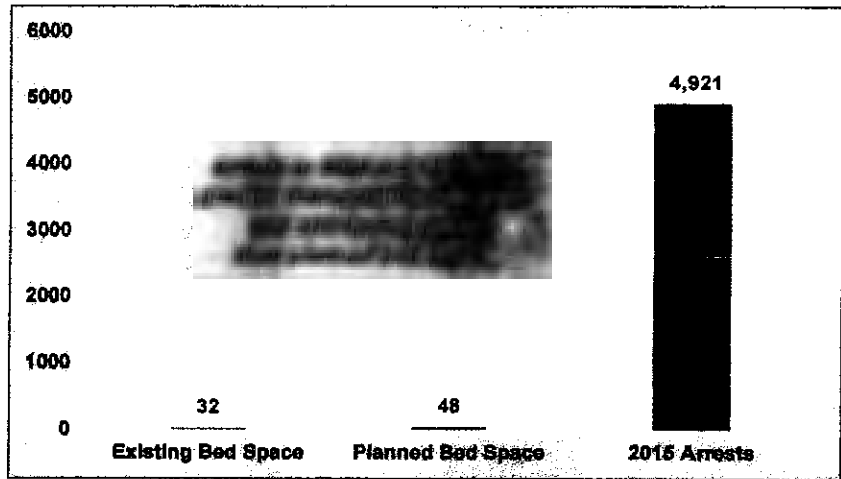


2015 for other than Part I offenses was 610; the average number of such arrests over the past three years (2013 to 2015) was 911. Many of these less violent crimes warrant immediate detention and prolonged incarceration if judged guilty. The ratio of bed space supply to arrests is alarming. Consequently, 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.

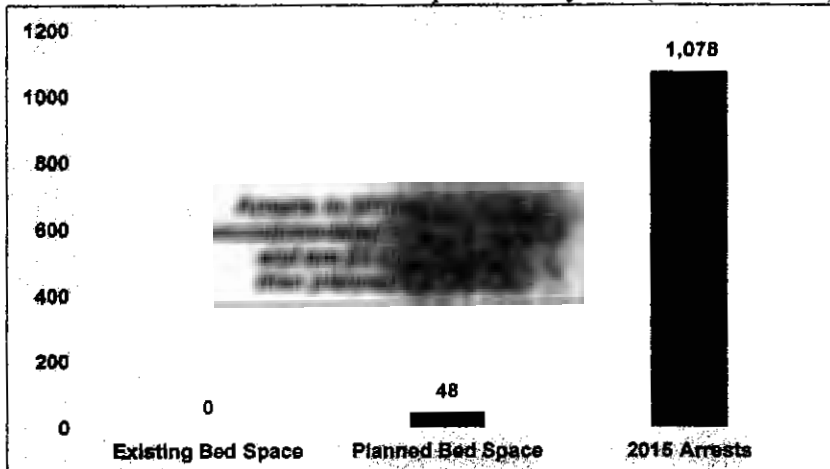
2.7

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,

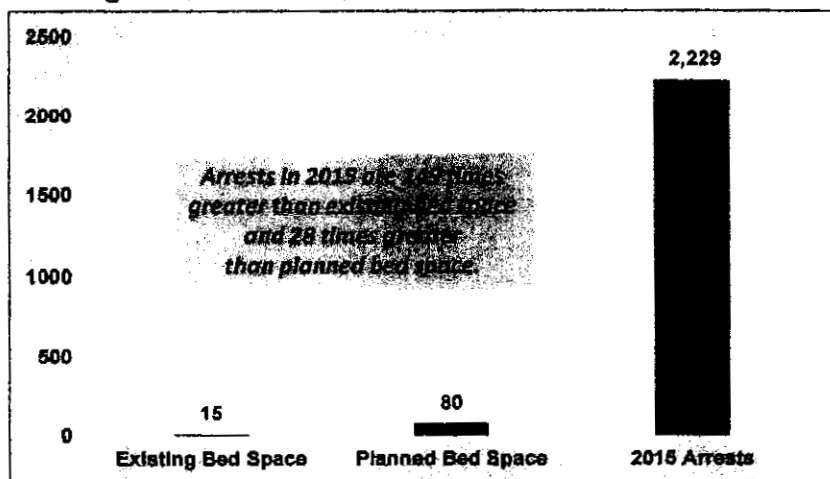


the ability to detain arrestees until trial or imprison if found guilty was non-existent in 2015 and will not improve significantly with planned capacity.

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

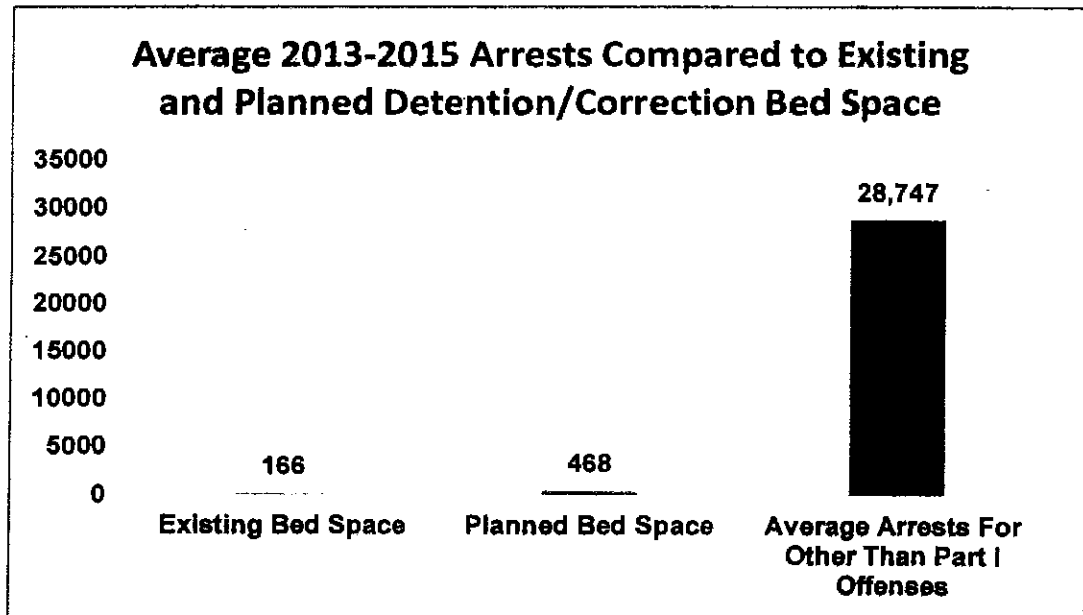
- U.S. Department of Education, Carl D. Perkins Career and Technical Education Act of 2006 grants
 - Student tuition fees
 - U.S. Department of Agriculture Forest Service (fire safety training grants)
 - U.S. Department of the Interior, National Park Service (public park and land security training grants)
 - 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 com-

plete 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.

Estimated Funding Requirement to Complete Public Safety Facilities	
Facility	\$ Million
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
Total	\$ 258.1

Estimated Funding Requirement to Complete Public Safety Facilities and Special Systems	
Facility	\$ Million
Phase I	
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
Phase I Total	\$ 83.80
Phase II	
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
Phase II Total	\$ 98.00
Grand Total for Phase I and Phase II	\$181.80

**Estimated Funding Requirement to Complete Public
Safety Facilities and Special Systems**

Facility	\$ Million
Phase I	
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
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Phase I Total	\$ 83.80
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Phase II Total	\$ 98.00
Grand Total for Phase I and Phase II	\$181.80

NAVAJO DIVISION OF PUBLIC SAFETY 9-1-1 PROJECT

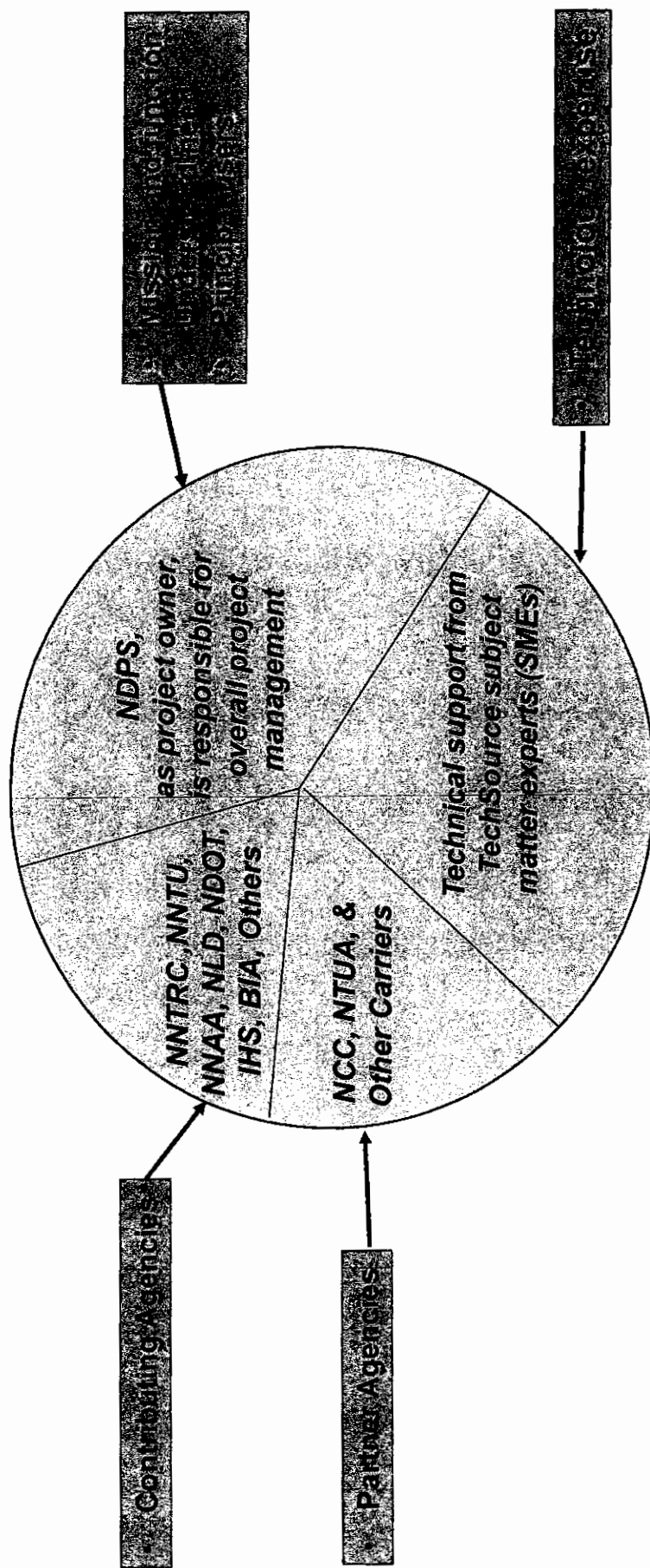


Prepared for
Office of the President
Navajo Nation

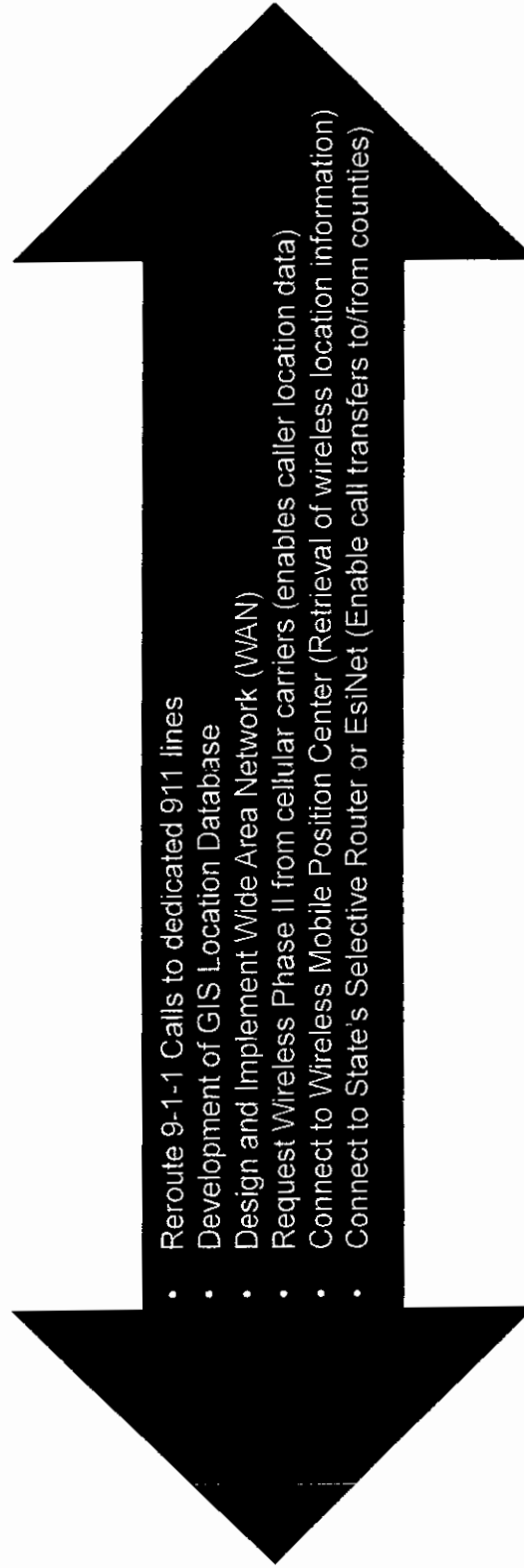
October 11, 2016



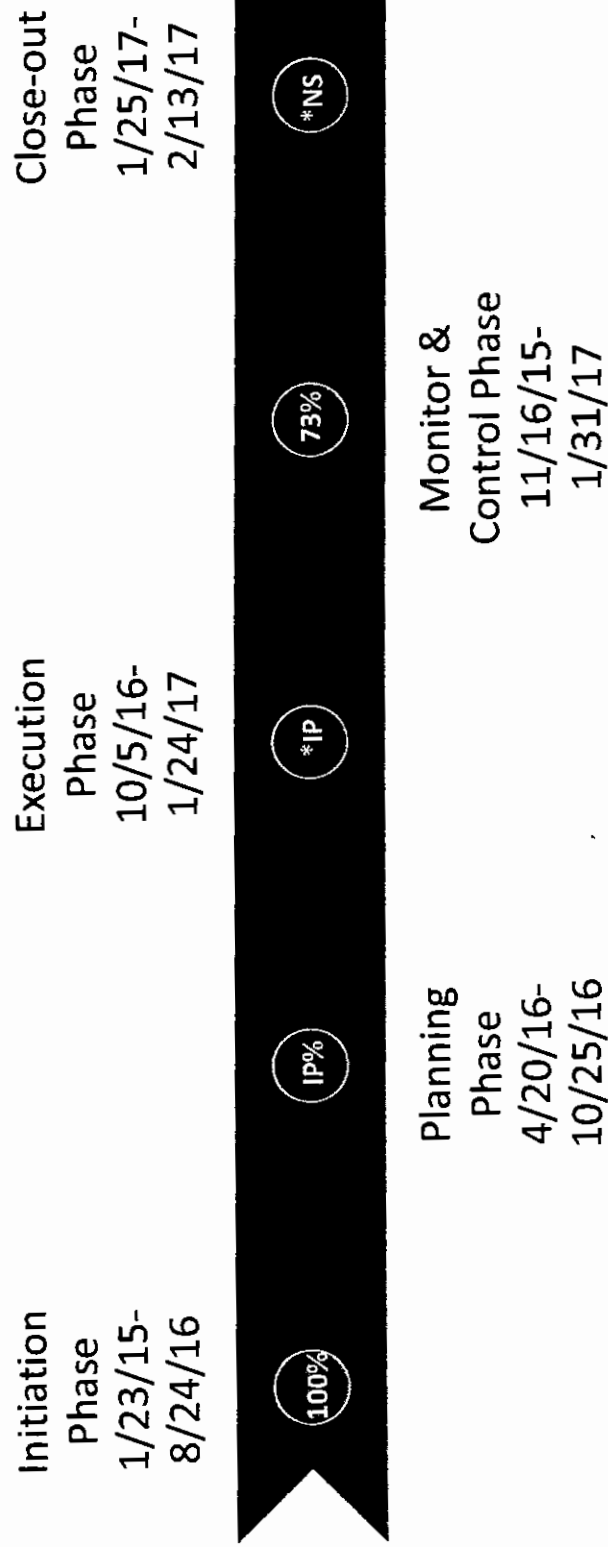
9-1-1 PROJECT CONTRIBUTORS



9-1-1 Deployment for the Navajo Nation



Project 1: Tuba City – 911 Implementation Timeline



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

Tuba City 911 Implementation							
ID	Task Name	Duration	Start	Finish	Predecessors	Resource Names	% Complete
1	Tuba City 911 Implementation	537 days	Fri 1/23/15	Mon 2/13/17			35%
2	Initiation Phase	414 days	Fri 1/23/15	Wed 8/24/16			100%
3	ECW Contract Submitted to DPS	1 day	Fri 1/23/15	Fri 1/23/15		Teresa Richardson	100%
4	ECD Contract to DOJ	1 day	Mon 5/18/15	Mon 5/18/15		Michele Tom	100%
5	NN DOJ Approval	1 day	Tue 3/1/16	Tue 3/1/16		Regina	100%
6	Contract Execution	1 day	Wed 8/24/16	Wed 8/24/16		Michele Tom	100%
7	Planning Phase	135 days	Wed 4/20/16	Tue 10/25/16			59%
8	ECW Project Manager Assigned	1 day	Tue 10/4/16	Tue 10/4/16		Sharon Zwald	100%
9	ECW Site Survey	14 days	Wed 10/5/16	Mon 10/24/16	8	ECW, NN	0%
10	Wireline All	28 days	Wed 4/20/16	Fri 5/27/16			100%
11	Request NCC Subscriber Line Data	21 days	Wed 4/20/16	Wed 5/18/16		Teresa Richardson	100%
12	Evaluate Record Data	7 days	Thu 5/19/16	Fri 5/27/16	11	Teresa Richardson	100%
13	9-1-1 Trunks - Tuba City	1 day	Tue 10/25/16	Tue 10/25/16		Teresa Richardson, Mid	0%
14	Order Trunks from NCC	1 day	Tue 10/25/16	Tue 10/25/16	9		56%
15	IT Infrastructure	118 days	Wed 5/4/16	Fri 10/14/16			100%
16	Discuss IT Requirements	1 day	Wed 5/4/16	Wed 5/4/16	5455	Teresa Richardson, Bob	100%
17	Evaluation of IT Infrastructure	65 days	Thu 5/5/16	Wed 8/3/16	16	Joe Cook	100%
18	Provide Documented IT Infrastructure Revisions Required	52 days	Thu 8/4/16	Fri 10/14/16	17	Joe Cook	0%
19	Execution Phase	80 days	Wed 10/5/16	Tue 1/24/17			0%
20	9-1-1 Trunks - Tuba City	61 days	Wed 10/26/16	Wed 1/18/17			0%
21	Installation of Trunks	49 days	Wed 10/26/16	Mon 1/2/17	14	NCC	0%
22	Reroute 911 Wireline to 911 Trunks	1 day	Wed 1/18/17	Wed 1/18/17	24	NCC	0%
23	IT Work Completion	43 days	Wed 10/5/16	Fri 12/2/16	8	Tech Source	0%
24	ECW Onsite Installation	75 days	Wed 10/5/16	Tue 1/17/17	8	Tech Source, NN, ECW	0%
25	Onsite Training	5 days	Wed 1/18/17	Tue 1/24/17	24	NN, ECW	0%
26	Installation Complete	1 day	Wed 1/18/17	Wed 1/18/17	24	Tech Source, NN, ECW	0%
27	Go Live	2 days	Wed 1/18/17	Thu 1/19/17	24	ECW	0%
28	Monitor and Control Phase	317 days	Mon 11/16/15	Tue 1/31/17			73%
29	Weekly Status Meetings 877-273-4202	156 days	Mon 11/16/15	Mon 6/20/16			100%
	Code 6056502						
62	Weekly Status Meetings	156 days	Tue 6/28/16	Tue 1/31/17			47%

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

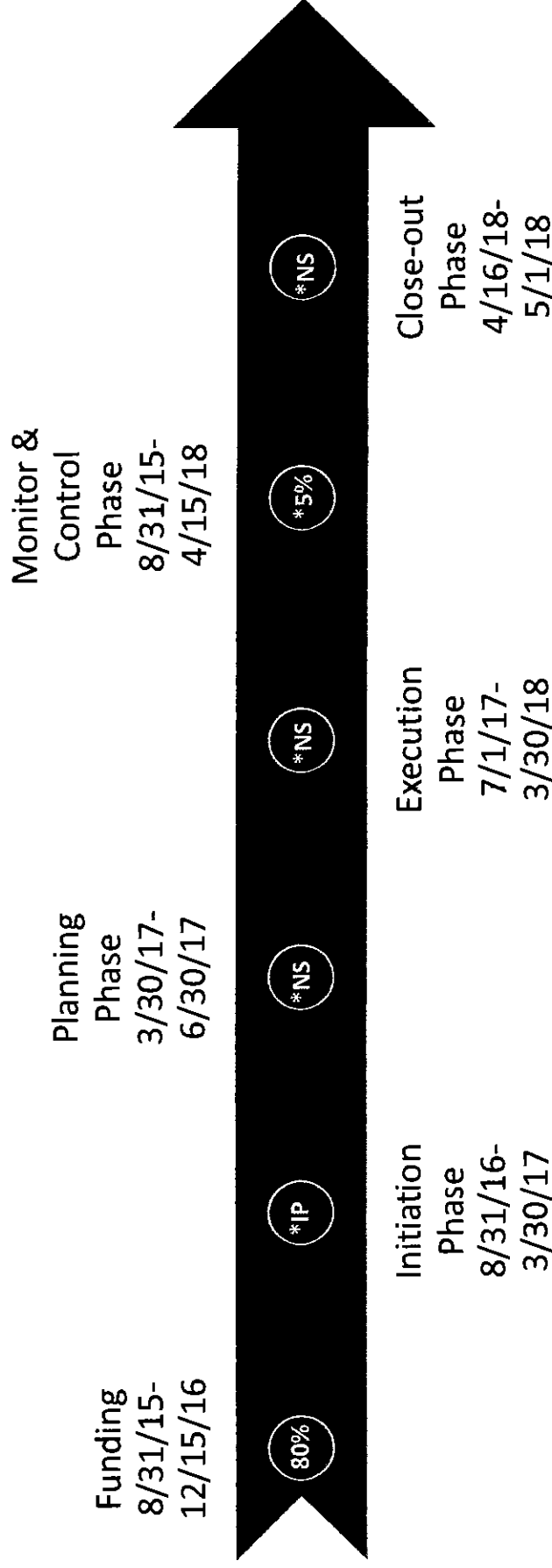
DHS Grant

- 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)

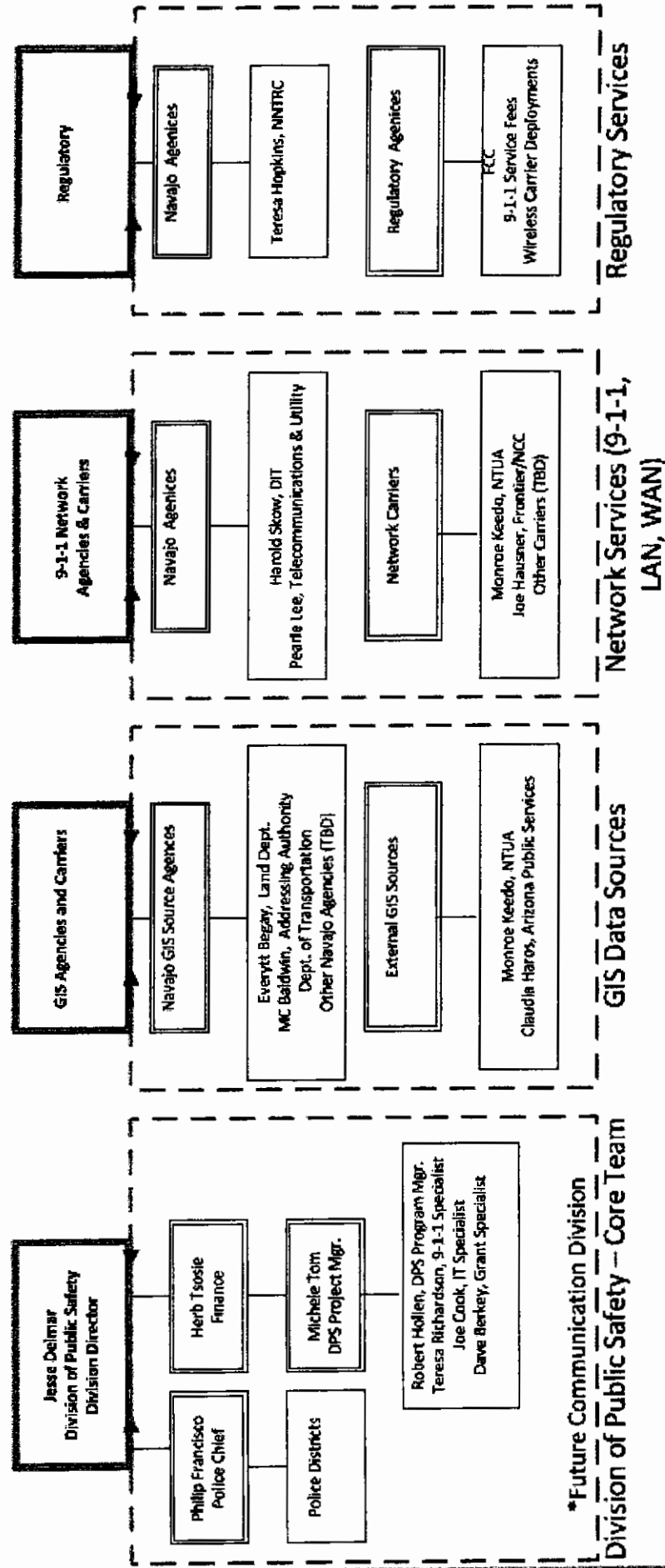


*IP = In Progress: Tasks have started but not completed
 *NS – Not Started

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
-

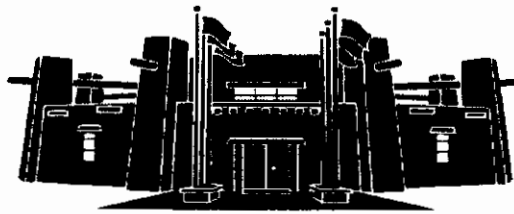
Navajo Nation 9-1-1 Project Contributors



Discussion and Questions

Michele Tom
9-1-1 Project Manager

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

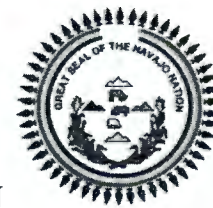
SUBJECT: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION
RELATING TO AN EMERGENCY; APPROPRIATING \$3,800,000 FROM
THE SÍHASIN FUND TO THE DIVISION OF PUBLIC SAFETY
DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE
EMERGENCY 911 SYSTEM, THE AMBER ALERT SYSTEM AND FOR THE
RURAL ADDRESS SYSTEM

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

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

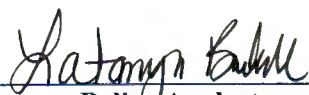
SPONSORS: Honorable Kee Allen Begay, Jr., Honorable Amber Crotty

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 CCSO 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.

CCSO 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.

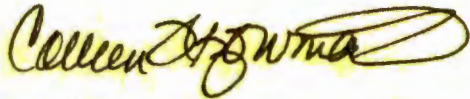
All available CCSO central office employees reported to the BIA for an active search and rescue. We mobilized our staff, ordered meals for the searchers, brought in ATVs, porta potties, walkie-talkies, fluorescent vests, water, and other items necessary to complete the task. Needless to say, the recovery 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", with a large, stylized flourish 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 Ashlynne 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
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

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
Division of Community Development (a.k.a. Rural Addressing)
Administrative Building #2 ; South Side - Second Floor

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.

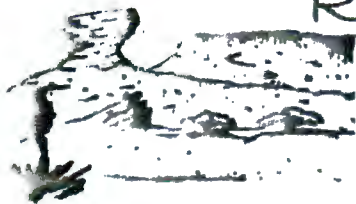
Posted: October 17, 2016 at 12:39 PM

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>1. Rock Springs Chapter</i>



Policy Analyst
Office of Legislative Services
3/27/17 8:34am
Date/Time



ROCK SPRINGS CHAPTER

Tse'chi'izhi

P.O Box 4608 Yahtahey, NM 87375

Phone#: (505) 371-5100 Fax#: (505) 371-5103

E-mail: rocksprings@navajochapters.org



February 24, 2017

23RD Navajo Nation Council
Legislative Branch
Window Rock, Arizona 86515

ORIGINAL

RE: CHAPTER RESOLUTION – AMBER ALERT

Dear Honorable Delegations:

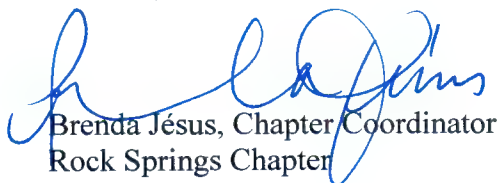
Please find attached, Chapter resolution from the Rock Springs Chapter in support and advocating for implementation of Amber Alert on the Navajo Nation.

As you may be aware families in the rural communities and even in the populated communities, mothers and persons raising their sons and daughters fear for their child having to walk a distance to commute on a school transportation system to and from school. Where some working mothers sometimes can't be on site to pick up children after school.

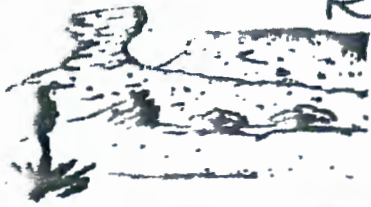
In support the Amber Alert would really help when the incident is made aware and immediate response from law enforcement can be acted upon, instead of delays and prolong waiting. We at Rock Springs Chapter community see this to be a very essential issue and to have the law makers in Window Rock take this issue serious. Your favorable consideration addressing this issue and implementing the alert is much appreciated.

Should you have any questions, you can contact me directly at 505-371-5100. Thank you.

Sincerely,


Brenda Jesus, Chapter Coordinator
Rock Springs Chapter

cc: Chrono File/bj



ROCK SPRINGS CHAPTER

Tse'chí'ízhí

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RSC-01-16-601

RESOLUTION OF THE ROCK SPRINGS CHAPTER Eastern Navajo Agency District 16

Requesting the Office of the Navajo President/Vice-President, 23rd Navajo Nation Council, Law and Order Committee, Health and Human Services Committee to establish funds to implement Navajo Nation wide coordination of an effective comprehensive Amber Alert communications network on the Navajo Nation.

WHEREAS:

1. The Rock Springs Chapter is a duly recognized Chapter of the Navajo Nation government pursuant to 26 NNC Section 3 and 11 NNC, Part I, Section 10; and
2. Pursuant to Title 26, NNC Section 1(B), Rock Springs Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local Agencies for appropriate actions;
3. The abduction and assault committed against 11-year-old Ashlynn Mike that resulted in her passing far too soon has alerted the Rock Springs Chapter to the urgent need for an effective, comprehensive system for responding to child abductions and sexual assault on the Navajo Nation; and
4. Rock Springs Chapter strongly condemn those who illegally prey on the most vulnerable-our children. We deplore individuals who commit crimes against children and engage in sexual assault, kidnaping and murder and other types of violence adding to the crime rates being higher than those off reservation; and
5. Rock Springs Chapter acknowledges that Dine'bi beenahaz'aanii declares accordingly the importance of providing sanctuary for Dine' life and culture, and the right of every child to a healthy physical and mental environment that is free from all abuse.

NOW THEREFORE BE IT RESOLVED THAT:

1. Rock Springs Chapter hereby respectfully requests the President of the Navajo Nation, the 23rd Council of the Navajo Nation, Law and Order Committee, Health and Human Service Committee and the Navajo People to collaborate with multiple stakeholders including child advocates state, county and tribal law enforcement, transportation, education institutions, faith leaders, media, community members and others to effectively recover endangered or abducted children through the following measures:
 - Create a comprehensive and effective America's Missing: Broadcast Emergency Response (AMBER) Alert Program.
 - Establish child abduction response teams for the delivery of rapid response coordination services;
 - Create a public database of missing and endangered children on Navajoland; and
2. Rock Springs Chapter strongly urges the Office of the Navajo Nation President/Vice-President, the 23rd Navajo Nation Council, Law and Order Committee, and Health and Human Services Committee to act

ROCK SPRINGS CHAPTER

Tse'chi'izhi

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Phone#: (505) 371-5100 Fax#: (505) 371-5103

E-mail: rocksprings@navajochapters.org

on the following recommendations:

- Establish a continuum of care through the creation of awareness, prevention and treatment programs to address violence perpetuated on Navajo children; and
 - Develop protocols with the input and participation of educational institutions and child advocates to increase the safety of children attending schools located on Navajoland; and
 - Facilitate the improvement of tribal programs and prioritize a larger funding effort that allow for safe spaces and the protection of Navajo children.
3. Rock Springs Chapter solemnly reaffirms that from the time "awe yazhi" is born and gives its first laugh, we collectively begin our responsibility to provide, defend and protect. We express appreciation to those who are working to expedite hozho in Navajo communities. Furthermore, the Rock Springs Chapter encourages Dine' Bi Keyah residents to reinforce hozho by actively participating in efforts to protect our children and develop a more enriched society.

BE IT FINALLY RESOLVED that all actions necessary and appropriate to secure actions requested in this resolution are taken including but not limited to working collaboratively with all stakeholders to implement an effective AMBER Alert system and address the needs of child survivors of sexual violence.

CERTIFICATION

WE, HEREBY CERTIFY that the foregoing resolution was duly considered by the Rock Springs Chapter at a duly called chapter meeting at Rock Springs Chapter, (McKinley County), of the Navajo Nation, New Mexico at which a quorum was present and that same was approved by a vote of 28 In Favor 0 Opposed 6 Abstained, on the **16th** day of **January**, 2017.

MOTIONED: Jean Miller

SECONDED: Shawn Nelson

Eleanore Jones
Eleanore Jones, Chapter President
Rock Springs Chapter

Jasper Long
Jasper Long, Vice-President
Rock Springs Chapter

Ruby H. Brown
Ruby H. Brown, Secretary/Treasurer
Rock Springs Chapter

23rd 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

NNC Fall Session

10/19/2016

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
23RD NAVAJO NATION COUNCIL**

SECOND YEAR 2016

COMMITTEE REPORT

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

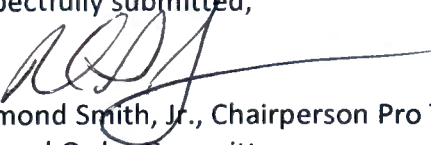
Legislation No. 0370-16: An Action Relating to an Emergency; Appropriating \$3,800,000 from the Sihasin Fund to the Division of Public Safety Department of Emergency Management for the Emergency 911 System, the Amber Alert System and for the Rural Address System – Sponsors: Hon. Kee A. Begay, Jr./Hon. 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
23rd 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**

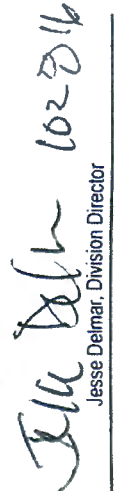
PART I. Business Unit No.: 116001		Program Title: NG 9-1-1 and RMS/CAD System		Division/Branch: Public Safety	
Prepared By: Michele Torn		Phone No.: 928-871-7584		Email Address: mmtom@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	NC Approved Original Budget	Proposed Budget	Difference (Column B - A)
S: Hasiin		10/01/16 - 09/30/17	5,418,960.00	100%				1		118,960	118,960
					2001	Personnel Expenses					
					3000	Travel Expenses					0
					3500	Meeting Expenses					0
					4000	Supplies		1		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
					6500	Contractual Services		1		1,100,000	1,100,000
					7000	Special Transactions					0
					8000	Public Assistance					0
					9000	Capital Outlay		1		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

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


 Philip Francisco, Chief of Police
 SUBMITTED BY: Program Manager's Printed Name and Signature / Date
10/28/16


 Jesse Delmar, Division Director
 APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date
10-28-16

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2017

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.:	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
2001 PERSONNEL EXPENSES	Employee Salary, Fringe Benefits, Salary Adjustments, and Merit Payment for eligible personnel		118,960
2110	Regular	80,000	
2300	2120 Two(2) Regular Full Time positions Fringe Benefits	38,960	
4000 SUPPLIES	2910 Fringe Benefits for two positions (\$80,000 x 48.70%) Desktop supplies, folders, envelopes, pens, pencils, Power Point projector, laptops and partitions Computer/Xerox toner cartridges. Printing of manuals, brochures, binding, photocopying and publication subscription. Purchase vehicle parts (tires, tubes, etc.)		3,600,000
4200	Non Capital Assets	900,000	
4410	Operating Supplies	2,700,000	
	4220 Non-Cap Analytical Equipment (RMS/CAD and NG 911) 4230 Non-Cap Computer Equipment (RMS/CAD and NG 911)		
	4440 Non-Cap Computer Software (RMS/CAD and NG 911)		
6000 REPAIRS AND MAINTENANCE	Annual repair and maintenance fees for furniture, equipment, and computer upgrade hardware		250,000
6300	Technology	250,000	
	6310 Computer Hardware R&M 6320 Software Support for RMS/CAD and 9-1-1 call system (Maintenance Cos		
TOTAL		3,968,960	3,968,960

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 4 of 4
BUDGET FORM 4

FY 2017

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Business Unit No.: <u>116001</u>			
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
6500	6500 CONTRACTUAL SERVICES 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	
9000	9000 CAPITAL OUTLAY 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		
TOTAL		1,450,000	1,450,000

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2017

PART I. PROGRAM INFORMATION: Business Unit No.: <u>116001</u>		Program Name/Title: <u>NG 9-1-1 and RMS/CAD System</u>																																	
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: (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.																																			
PART III. PROGRAM PERFORMANCE CRITERIA:																																			
1. Program Performance Area: Replace current RMS Code																																			
Goal Statement:																																			
Purchase RMS/CAD for division																																			
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">1st QTR</td> <td colspan="2">2nd QTR</td> <td colspan="2">3rd QTR</td> <td colspan="2">4th QTR</td> </tr> <tr> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> </tr> <tr> <td>1</td> <td></td> <td>1</td> <td></td> <td>1</td> <td></td> <td>1</td> <td></td> </tr> </table>												1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	1		1		1		1	
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2. Program Performance Area: Replace current computer hardware																																			
Goal Statement:																																			
Purchase computer hardware for districts																																			
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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;"> <tr> <td colspan="2">1st QTR</td> <td colspan="2">2nd QTR</td> <td colspan="2">3rd QTR</td> <td colspan="2">4th QTR</td> </tr> <tr> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> </tr> <tr> <td>1</td> <td></td> <td>2</td> <td></td> <td>2</td> <td></td> <td>2</td> <td></td> </tr> </table>												1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	1		2		2		2	
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4. Program Performance Area: Replace current dispatcher hardware																																			
Goal Statement:																																			
Purchase hardware for dispatchers																																			
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5. Program Performance Area: Goal Statement:																																			
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Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual																												
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.																																			
Program Manager's Printed Name and Signature/Date: <u>10/28/16</u>										Division Director/Branch Chief's Printed Name and Signature / Date: <u>102816</u>																									

Committee Report

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

LEGISLATION NO. 0370-16

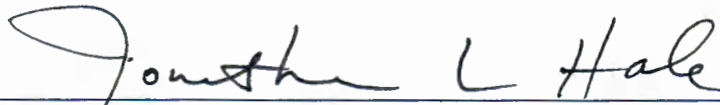
AN ACTION RELATING TO AN EMERGENCY; APPROPRIATING \$3,800,000 FROM THE SIHASIN FUND TO THE DIVISION OF PUBLIC SAFETY DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE EMERGENCY 911 SYSTEM, THE AMBER ALERT SYSTEM AND FOR THE RURAL ADDRESS SYSTEM

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