

RESOLUTION OF THE  
LAW AND ORDER COMMITTEE OF THE  
24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO THE LAW AND ORDER COMMITTEE; APPROVING THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST FOR FISCAL YEARS 2021-2022 AS AGREED TO BY THE JUDICIAL BRANCH AND THE DIVISION OF PUBLIC SAFETY

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

The Navajo Nation established the Law and Order Committee as a standing committee with the authority to fund public safety facilities from the Navajo Sales Tax revenue. 2 N.N.C. §600(A); CJA-03-13, Section 5, 30 (2013); and BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, Sections I and II (2011).

**SECTION TWO. FINDINGS**

- A. The Navajo Nation Council established the Judicial/Public Safety Facilities Fund, and allocations from the Fund are approved pursuant to the Judicial/Public Safety Facilities Fund Management Plan. 24 N.N.C. §620(B).
- B. The Law and Order Committee approves a "Fund Priority List" which "shall identify and prioritize five Judicial Branch, Public Safety or combined Judicial/Public Safety facilities at specified locations that may receive funding from the Fund." BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, Section III.C. (2011).
- C. For Fiscal Years 2021-2022, the Judicial Branch and the Division of Public Safety on May 10, 2021 entered into an Agreement for their five priority projects, and now request the Law and Order Committee's review and approval of the Fund Priority List. **EXHIBIT 1.**

**SECTION THREE. APPROVING THE FUND PRIORITY LIST**

The Law and Order Committee hereby approves the Judicial/Public Safety Facilities Fund Priority List for Fiscal Years 2021-2022 shown in the Final Agreement between the Judicial Branch and the

Division of Public Safety, attached as **EXHIBIT 1**. BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, Section III. C. (2011).

**SECTION FOUR. FUND ADMINISTRATION**

With the assistance of the Controller, the Judicial Branch and the Division of Public Safety shall ensure that all allocated funds for the five priority projects shown in EXHIBIT 1 are properly administered, and that all expenditures are for the purposes set forth in the Fund Management Plan. BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, Section III. A. and B. (2011).

**SECTION FIVE. EFFECTIVE DATE**

This Act shall become effective according to 2 N.N.C. §189(A) and Resolution No. BFD-66-11.

**SECTION SIX. SAVING CLAUSE**

If any provision of this Act is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain as Navajo Nation law.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Law and Order Committee of the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Ojo Encino, Navajo Nation (New Mexico), at which a quorum was present and that the same was passed by a vote of 03 in Favor, and 00 Opposed, on this 11th day of April 2022.



Honorable Eugenia Charles-Newton, Chairwoman  
Law and Order Committee

Motioned: Honorable Eugene Tso  
Second : Honorable Vince James

## Judicial Branch of the Navajo Nation



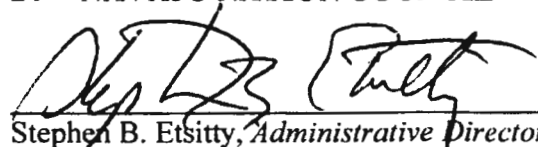
JOANN B. JAYNE  
*Chief Justice of the Navajo Nation*

STEPHEN B. ETSITTY  
*Administrative Director of the Courts*

## Memorandum

**TO:** Eugenia Charles-Newton, *Chairman*  
Otto Tso, *Vice Chairman*  
Eugene Tso, *Member*  
Vince James, *Member*  
Edmund Yazzie, *Member*  
**LAW AND ORDER COMMITTEE**  
**24<sup>TH</sup> NAVAJO NATION COUNCIL**

**FROM:**

  
Stephen B. Etsitty, *Administrative Director*  
Administrative Office of the Courts  
**JUDICIAL BRANCH OF THE NAVAJO NATION**

**DATE:** May 17, 2021

**SUBJECT:** Judicial/Public Safety Facilities Priority Projects List, 2021 - 2022

Through this memorandum, I am transmitting the final agreement between the Judicial Branch and the Division of Public Safety to the Law and Order Committee.

Pursuant to BFD-66-11, Amending the Judicial/Public Safety Facilities Fund Management Plan, the Facilities Project Priority list is to be updated every two years by the Judicial Branch and the Division of Public Safety, and approved by the Law and Order Committee. The revised priority project list is for the 2021-2022 time period (see attachment).

We look forward to the opportunity to present the final agreement document for your review and approval.

If you have any questions, please contact Stephen B. Etsitty, Administrator Director, at [stephenbetsitty@navajo-nsn.gov](mailto:stephenbetsitty@navajo-nsn.gov). Thank you.

Attachment

**cc: JoAnn Jayne, Chief Justice  
Karen Francis, Supreme Court  
Jesse Delmar, Division of Public Safety  
✓ Delores Greyeyes, Division of Public Safety  
Philip Francisco, Division of Public Safety  
Chrono File**

## **Final AGREEMENT**

### **RECOMMENDING APPROVAL OF THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST FOR FISCAL YEARS 2021 AND 2022 AS PROVIDED BY THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN**

#### **WHEREAS,**

- A. The Judicial Branch ("Branch") and the Division of Public Safety ("Division") are joint administrators of the Judicial/Public Safety Facilities Fund Management Plan.
- B. The Fund requires that a priority listing of facilities for funding be approved beginning with Fiscal Years 2008-2009 and every two years thereafter.
- C. The Navajo Nation District Judicial/Public Safety Master Plan completed in June 2019 serves as a guide for the planning and design of judicial/public safety facilities.
- D. The Chief Justice and the Division Director have reviewed the facility needs for judicial/public safety facilities and have identified projects that may receive funding from the Judicial/Public Safety Facilities Fund.

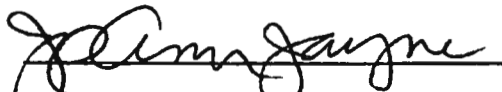
#### **THEREFORE,**

- A. The Chief Justice and the Division Director hereby recommend to the Law and Order Committee of the Navajo Nation Council ("Committee") that the priorities for the Judicial/Public Safety Facilities Fund Management Plan be approved as follows:
  - 1. Window Rock, Navajo Nation, Arizona – Temporary Relocation of Division of Public Safety Headquarters; funds necessary to renovate the Census modular for HQ staff, parking and fencing
  - 2. Window Rock, Navajo Nation, Arizona - Temporary Relocation of the Window Rock Corrections district for district administration and temporary housing of arrestees.
  - 3. Kayenta, Navajo Nation, Arizona – Judicial Facility.
  - 4. Shiprock, Navajo Nation, New Mexico – Temporary Relocation of Shiprock Department of Corrections for district administration and temporary housing of arrestees.
  - 5. Fort Defiance, Navajo Nation, Arizona/New Mexico – Division of Public Safety, Window Rock Judicial District, Correctional and NDPS Headquarters Facilities.
  - 6. Shiprock, Navajo Nation, New Mexico – Tse Bit'ai Judicial/Public Safety/Correctional/Medical Examiner Facilities
  - 7. Chinle, Navajo Nation, Arizona – Public Safety Training Facility
  - 8. Dilkon, Navajo Nation, Arizona – Public Safety/Correctional Facilities
  - 9. Dził Yijiin, Navajo Nation, Arizona – Judicial/Public Safety/Correctional Facilities
  - 10. Window Rock, Navajo Nation, Arizona – Supreme Court/Peacemaking/Administration Facilities
  - 11. Ramah, Navajo Nation, New Mexico – Judicial Facility

12. Aneth, Navajo Nation, Utah – Judicial/Public Safety/Correctional Facilities
13. Alamo, Navajo Nation, New Mexico – Judicial/Public Safety/Correctional Facilities
14. Pueblo Pintado, Navajo Nation, New Mexico –Public Safety/Correctional Facilities
15. To'hajiilee, Navajo Nation, New Mexico –Public Safety/Correctional Facilities
16. Kaibeto, Navajo Nation, Arizona – Public Safety Substation (has land/funds)
17. Cameron, Navajo Nation, Arizona – Public Safety Substation
18. Leupp, Navajo Nation, Arizona – Public Safety Substation
19. Tuba City, Navajo Nation, Arizona – Fire Department and Emergency Medical Services Facility

- B. The Branch and Division further recommend to the Committee that the sequence of construction of facilities may be modified by the timing of approval of financing and upon the shovel- and construction-readiness of each project.
- C. The Branch and Division further recommend to the Committee that from time to time, additional appropriation requests be made to the Navajo Nation Council for deposit into the Judicial/Public Safety Facilities Fund to address construction of judicial/public safety facilities.
- D. The Branch and Division further recommend to the Committee that from time to time, additional appropriation requests be considered for other judicial/public safety facility projects outside of the priority list.

Signed this 10 day of May, 2021.



JoAnn B. Jayne, *Chief Justice*

**Judicial Branch of the Navajo Nation**



Jesse Delmar, *Division Director*  
**Division of Public Safety**

2021-2022 Judicial/Public Safety Facilities Priority List (approved by Judicial Branch and Division of Public Safety) – reorganized pursuant to a request by the Law and Order Committee on March 8, 2021.

**Judicial/Public Safety COMPLEXES**

5. Fort Defiance, Navajo Nation, Arizona/New Mexico – Division of Public Safety, Window Rock Judicial District, Correctional and NDPS Headquarters Facilities
6. Shiprock, Navajo Nation, New Mexico – Tse Bit'ai Judicial/Public Safety/Correctional/Medical Examiner Facilities
9. Dził Yíjín, Navajo Nation, Arizona – Judicial/Public Safety/Correctional Facilities
10. Window Rock, Navajo Nation, Arizona – Supreme Court/Peacemaking/Administration Facilities
12. Aneth, Navajo Nation, Utah – Judicial/Public Safety/Correctional Facilities
13. Alamo, Navajo Nation, New Mexico – Judicial/Public Safety/Correctional Facilities

**COURT Building Only**

3. Kayenta, Navajo Nation, Arizona – Judicial Facility
11. Ramah, Navajo Nation, New Mexico – Judicial Facility

**DPS/PD Command Center**

1. Window Rock, Navajo Nation, Arizona – Temporary Relocation of Division of Public Safety Headquarters; funds necessary to renovate the Census modular for HQ staff, parking and fencing
7. Chinle, Navajo Nation, Arizona – Public Safety Training Facility
8. Dilkon, Navajo Nation, Arizona – Public Safety/Correctional Facilities
14. Pueblo Pintado, Navajo Nation, New Mexico –Public Safety/Correctional Facilities
15. To'hajiilee, Navajo Nation, New Mexico –Public Safety/Correctional Facilities
16. Kaibeto, Navajo Nation, Arizona – Public Safety Substation (has land/funds)
17. Cameron, Navajo Nation, Arizona – Public Safety Substation
18. Leupp, Navajo Nation, Arizona – Public Safety Substation

**Corrections Facilities Only**

2. Window Rock, Navajo Nation, Arizona - Temporary Relocation of the Window Rock Corrections district for district administration and temporary housing of arrestees
4. Shiprock, Navajo Nation, New Mexico – Temporary Relocation of Shiprock Department of Corrections for district administration and temporary housing of arrestees

**Fire /EMS Facilities Only**

19. Tuba City, Navajo Nation, Arizona – Fire Department and Emergency Medical Services Facility



**LAW AND ORDER COMMITTEE**

**Regular Meeting**

**April 11, 2022**

**Legislation No. 0072-22:** An Act Relating to the Law and Order Committee; Approving Judicial/Public Safety Facilities Fund Priority List for Fiscal Years 2021-2022 as agreed to by the Judicial Branch and the Division of Public Safety – *Sponsor: Honorable Eugenia Charles-Newton*

**VOTE TALLY SHEET:**

**Main Motion:**

Motion: Honorable Eugene Tso

Second: Honorable Vince James

Vote: 3-0-2

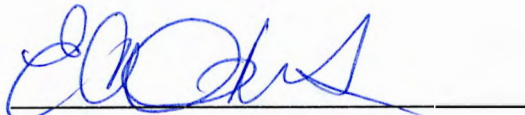
Yea: Hon. Vince James, Hon. Eugene Tso, Hon. Otto Tso

Nay:

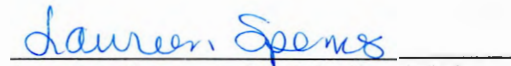
Not Voting: Hon. Eugenia Charles-Newton, Hon. Edmund Yazzie

Excused: None

Absent: None



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council



Laureen Spencer, Legislative Advisor  
Office of Legislative Services