



**Report to the Congress on  
Spending, Staffing, and Estimated Funding Costs for  
Public Safety and Justice Programs in Indian Country, 2016**

**May 2, 2018**

# Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2016

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# Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country

## EXECUTIVE SUMMARY

This report satisfies the Bureau of Indian Affairs reporting requirements in the Tribal Law and Order Act of 2010 regarding spending, staffing, and estimated costs for Public Safety and Justice Programs in Indian Country for 2016.

### 2016 Spending:

- Law Enforcement: \$220.2 million
- Detention/Corrections: \$110.1 million
- Tribal Courts: \$45.1 million including court assessments and technical assistance

### 2016 Staffing, BIA operated programs only:

- Law Enforcement: 509 FTE
- Detention/Corrections: 260 FTE
- Tribal Courts: 12 FTE

### 2016 Total Estimated Costs:

- Law Enforcement, including P.L 280 States: \$1.0 billion
- Detention/Corrections, existing programs only: \$241.8 million
- Tribal Courts, including P.L 280 States: \$1.0 billion

The 2016 report also includes data on PS&J related technical assistance, training, and other support provided to tribes that operate relevant programs under self-determination contracts or self-governance compacts.

- Technical Assistance: 806 documented instances
- Training: 118 sessions serving 2,494 tribal and Federal public safety personnel.

## I. INTRODUCTION

The Tribal Law and Order Act of 2010, Public Law 111-211 (TLOA) was designed to provide greater freedom for Indian tribes and tribal nations to design and operate their own justice systems, making Federal departments and agencies more accountable for serving Native people and lands. The TLOA specifically requires the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) report on spending, staffing, and unmet needs for Public Safety and Justice (PS&J) programs in Indian Country. This

report includes spending and staffing data for 2016, as well as annual cost estimates for PS&J programs.

## II. DATA SOURCES

To meet the reporting requirements of TLOA, this report equates spending with BIA-enacted funding for PS&J programs and staffing with the filled Full Time Equivalents (FTE) positions in BIA-operated PS&J programs. This report does not include any funding made available for PS&J purposes in Indian Country on a permanent or one-time basis by organizations other than the BIA. Tribal PS&J programs occasionally receive funding from Federal, state, and tribal organizations other than BIA.

The full scope of unmet needs cannot be addressed without considering non-BIA sources of funding, which are not readily quantifiable. As a proxy for unmet needs the report provides an estimate of total annual costs to operate appropriate-sized, fully staffed Law Enforcement and Detention/Corrections programs as well as Tribal Courts in Indian Country.

BIA utilized a web-based data collection survey tool accessible to tribes on the BIA webpage, [www.bia.gov](http://www.bia.gov) during the initial iteration of the 2016 report. Tribal leaders of all federally-recognized tribes were notified via mail and e-mail of the need for data to satisfy TLOA reporting requirements and informed of the availability of the BIA data collection tool. Fewer than 60 of the 567 tribes utilized the online tool or met with BIA field managers to report the requested information. The information received from tribes varied substantially in degrees of completeness and proved difficult to verify. To ensure consistency of data, this report utilized models to estimate annual program costs across the board.

## III. BIA FUNDING AND STAFFING

The TLOA requires BIA to submit a detailed spending report and the methodology used to disburse funds for PS&J programs administered by OJS. The OJS allocates its recurring appropriations to 190 Law Enforcement programs; 96 Detention/Corrections programs (for 55

tribes); 15 district, headquarters, and support offices; 230+ Tribal Courts as well as other BIA agency offices that support PS&J programs. The BIA funds are spent either by BIA when they deliver direct services or by tribes when they contract services with funds transmitted to the tribes through self-determination (638) contracts or self-governance compacts.

The BIA uses a Federal financial and accounting system to disburse funding to PS&J programs. The system provides reporting capabilities sufficient to meet TLOA requirements for reporting expenditures for all programs whether BIA or tribally operated, but can only meet the staffing reporting requirements for programs administered by BIA as a direct service to tribes. Law Enforcement and Detention/Corrections services are provided both by BIA and the tribes. Nearly all Tribal Courts are administered by the tribes. The BIA operates a few Tribal Court functions directly but primarily provides technical support to tribes which operate courts.

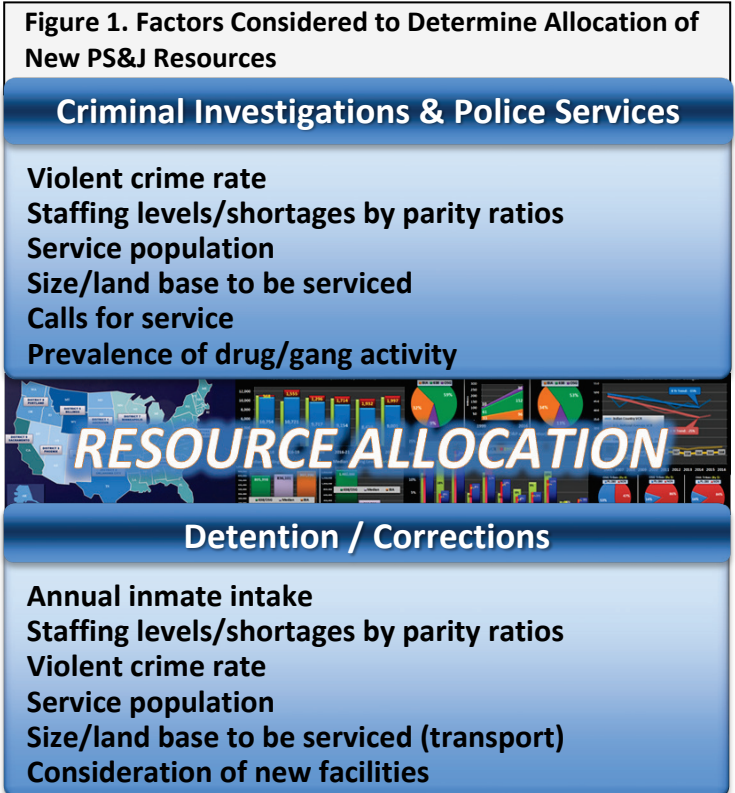
### **Methodology for Disbursing PS&J Funding**

#### **Law Enforcement and Detention/Corrections Programs –**

The methodology for disbursing Law Enforcement and Detention/Corrections funding is based on historical allocations. Until 1999, funding for the Law Enforcement and Detention/Corrections program was provided to tribes as Tribal Priority Allocations (TPA). The TPA designation provides tribes the discretion to prioritize their annual base funding among all BIA-funded programs with a TPA designation to serve the unique needs of their communities. In 1999, in order to assure funding for Law Enforcement and Detention/Corrections programs was spent on those programs and to strengthen Federal accountability for public safety in Indian Country, the TPA designation for Law Enforcement and Detention/Corrections programs was eliminated. The amount of TPA funds that tribes allocated to Law Enforcement and Detention/Corrections programs in 1999, when the TPA designation was removed, is the basis for the current funding levels distributed to each tribe today. The budget increases provided since that time have been distributed on top of the historical base amounts since by law, one tribe’s base funding under contract or compact cannot be reduced in order to increase the base funding of another tribe.

As directed in the Conference Committee Report to the Consolidated Appropriations Act, 2008, the BIA evaluates

a number of factors (shown below) to ensure budget increases “reach the areas with the greatest need.”



Tribal Courts – Unlike the Law Enforcement and Detention/Corrections programs, the Tribal Courts program remains in the TPA category allowing individual tribes to mingle and allocate Tribal Courts funding among various TPA programs in order to best meet their unique need or priority in any given year. However, as with Law Enforcement and Detention/Corrections funding, Tribal Courts funding is distributed according to historical allocations. Currently, BIA distributes Tribal Courts budget increases utilizing either a pro-rata methodology, or request-based determinations that are supported by court assessment data.

### **Disbursement of PS&J Funding**

Law Enforcement Programs – In 2016, BIA funding obligated for Law Enforcement programs reached \$220.2 million. About 39 percent of the funding was allotted to BIA direct service programs with the remainder going to tribally-run programs. There is a minimal amount of funding for Law Enforcement that goes towards operations in Public Law 280 states, due to historical reasons or program administrative offices in those states (P.L. 280). Jurisdictions covered under P.L. 280 delegated Federal criminal jurisdiction on Indian lands to state governments and approved the enforcement of a state’s

criminal code by state and local law enforcement officers in Indian Country.

Detention/Corrections Programs – In 2016, BIA funding for Detention/Corrections programs reached \$110.1 million. Roughly 42 percent of the funding was allotted to BIA direct service programs with the remainder going to tribally run programs. There is a minimal amount of funding for detention that goes to operations in P.L. 280 states, due to historical reasons or program administrative offices in those states.

Tribal Courts – In 2016, BIA funding for the Tribal Courts program reached \$45.1 million including court operations, court assessments, and technical assistance. Over 81 percent of the funding was allotted to tribally contracted/compact programs. The remaining funded court assessments and BIA technical assistance. Approximately one fourth of the total funded Tribal Court assessments in P.L. 280 states, as directed by Congress.

### BIA Staffing of PS&J Programs

In 2016, BIA-operated Law Enforcement programs employed 509 FTE, Detention/ Correction programs employed 260 FTE, and the Tribal Courts budget line item supported a staff of 12 FTE for BIA to administer the program and provide technical support. The number of FTE employed by tribes operating these programs under contract is unknown. Tribes, by law, are not required to provide employment information and most tribes do not provide such information.

<b>Summary of Funding for BIA-funded Public Safety and Justice Programs by Program</b>		
<b>Program/Operator</b>	<b>Federal FTE &amp; Appropriations Expended (Dollars in Thousands)</b>	
	<b>FY 2016</b>	
	<b>Federal FTE</b>	<b>BIA Appropriations Expended</b>
<b>Law Enforcement</b>		
BIA Direct Services	509	86,575
Tribally Contracted/Compacted Programs	NA	133,614
<b>Total Law Enforcement</b>	<b>509</b>	<b>\$ 220,190</b>
<b>Det Ctr/Corrections</b>		
BIA Direct Services	260	46,084
Tribally Contracted/Compacted Programs	NA	64,011
<b>Total Det Ctr/Corrections</b>	<b>260</b>	<b>\$ 110,095</b>
<b>Tribal Courts</b>		
BIA Direct Services	12	8,519
Tribally Contracted/Compacted Programs	NA	36,603
<b>Total Tribal Courts</b>	<b>12</b>	<b>\$ 45,122</b>
<b>PS&amp;J Programs</b>		
BIA Direct Services	781	141,179
Tribally Contracted/Compacted Programs	NA	234,228
<b>Total PS&amp;J Programs</b>	<b>781</b>	<b>\$ 375,407</b>

#### IV. TOTAL ESTIMATED COSTS

The report provides an estimated total cost of Law Enforcement for all tribes throughout Indian Country, including P.L. 280 states regardless of whether services are provided by Federal, state, local, or tribal entities. Costs estimates for Tribal Courts also include all tribes because of tribal sovereignty and due to the expanded court responsibilities that Tribal Courts potentially have under TLOA and the reauthorization of the Violence Against Women Act (VAWA). The cost estimates for Detention/ Corrections are limited to existing structures because there is no assumption that every tribe needs a separate detention facility and facilities are often shared regionally.

#### Methodologies for Calculating Estimated Costs of PS&J programs

The cost estimates for Law Enforcement programs and Tribal Courts assume that all tribes of a similar size have Law Enforcement agencies or Tribal Courts with the same composition. Law Enforcement programs and Tribal Courts are usually sized to meet the needs of a population range. Population data in the 2013 American Indian Population and Labor Force (AIPLF) Report prepared by the Office of the Assistant Secretary – Indian Affairs (consistent with 2010 Census data) was used to estimate service populations by tribe. The AIPLF estimates that the total service population on Indian lands is just under 2 million. About two-thirds of the population is located in non-P.L. 280 states, and a third is located in P.L. 280 states, primarily Alaska and California. This report grouped tribes by population size, and then used scalable cost models to create estimates for operating Law Enforcement programs and Tribal Courts for each group.

Law Enforcement Cost Estimate – The cost of a full time “Basic” program that would serve tribes with service populations ranging from 1,601-6,500 is estimated at \$2.0 million. This is based on a budget for a standard Law Enforcement program model that includes police officials, dispatchers, administrative services, and supplies and equipment. The number of officers budgeted at each level generally follows a ratio of 2.8 officers per 1,000 residents. The table with the scalable Law Enforcement budget model shows the Basic program scaled to various levels based on tribal service populations. For example, tribes with a service population of less than 600 could be served by a Law Enforcement agency with a lower capacity at a cost of

\$666,000, whereas tribes with a service population ranging from 16,251-19,500 would require a Law Enforcement presence three times the size at an annual cost of \$5.5 million.

**Table 2. Scalable Budget Models Used in Report**

Scalable Law Enforcement Budget Model		
Tribal Service Population Size	Law Enforcement Need	Annual Cost (\$000)
<600	Basic @ ≈1/3 capacity	\$ 666
600-1,600	Basic @ ≈2/3 capacity	\$ 1,333
1,601-6,500	Basic	\$ 2,019
6,501-9,750	Basic @ ≈50% increased capacity	\$ 2,994
9,751-13,000	Basic @ ≈100% increased capacity	\$ 3,836
13,001-16,250	Basic @ ≈150% increased capacity	\$ 4,679
16,251-19,500	Basic @ ≈200% increased capacity	\$ 5,501
19,501+	Basic @ ≈250% increased capacity	\$ 6,344

Scalable Tribal Court Budget Model		
Tribal Service Population Size	Tribal Court Need	Annual Cost (\$000)
<600	Part Time (4.3 months)	\$ 717
600-1,600	Part Time (8 Months)	\$ 1,333
1,601-6,500	Full Time	\$ 2,000
6,501-9,750	Full Time X 1.5	\$ 3,000
9,751-13,000	Full Time X 2	\$ 4,000
13,001-16,250	Full Time X 2.5	\$ 5,000
16,251-19,500	Full Time X 3	\$ 6,000
19,501+	Full Time X 3.5	\$ 7,000

Tribal Courts Cost Estimate – Data collected from Tribal Court assessments completed by BIA over the past few years was used to produce a scalable Tribal Court budget model. The size of the tribe’s service population drives the size of the court, and the size of the court drives the cost of the court. The table with the scalable Tribal Court budget model shows the cost of a Full Time Court that would serve tribes with service populations ranging from 1,601-6,500 is estimated at \$2.0 million and scaled to

various levels based on tribal service populations. For example, tribes with a service population of less than 600 could be served by a court that operated for 4.3 months over the course of a year at a cost of \$717,000, whereas tribes with a service population ranging from 16,251-19,500 would require a tribal justice system 3 times the size of a Full Time Court, at an annual cost of \$6.0 million.

Detention/Corrections Cost Estimate – Unlike cost estimates for Law Enforcement and Tribal Court programs, where it is assumed there is a universal community need, this analysis estimates costs only for existing BIA-funded Detention/Corrections centers – not every community needs a Detention/ Correction center. Staffing and operational needs for correctional programs are based, to a greater extent, on facility design rather than service population. Therefore, estimated total costs are based on individual staffing models developed for each BIA-funded jail based on

National Institute of Corrections standards in connection with building layout, type of prisoners housed, and programs/services offered.

### **Total Estimated Costs of PS&J programs in Indian Country**

Based on the costs estimates for these PS&J programs, the total annual estimated need for PS&J Programs in Indian Country is \$1.0 billion for Law Enforcement Programs, \$241.8 million for existing Detention Centers, and \$1.0 billion for Tribal Courts. For Law Enforcement Programs and Tribal Courts about 55 percent of the total estimated cost is for non-P.L. 280 states where tribes and the Federal government have criminal jurisdiction, and 45 percent is for costs in P.L. 280 states, which include 373 of the 585 tribal entities that the BIA PS&J funding supports, where state and local law enforcement have jurisdiction.

**Table 3. Summary of Total Estimated Tribal Public Safety and Justice Program Costs**

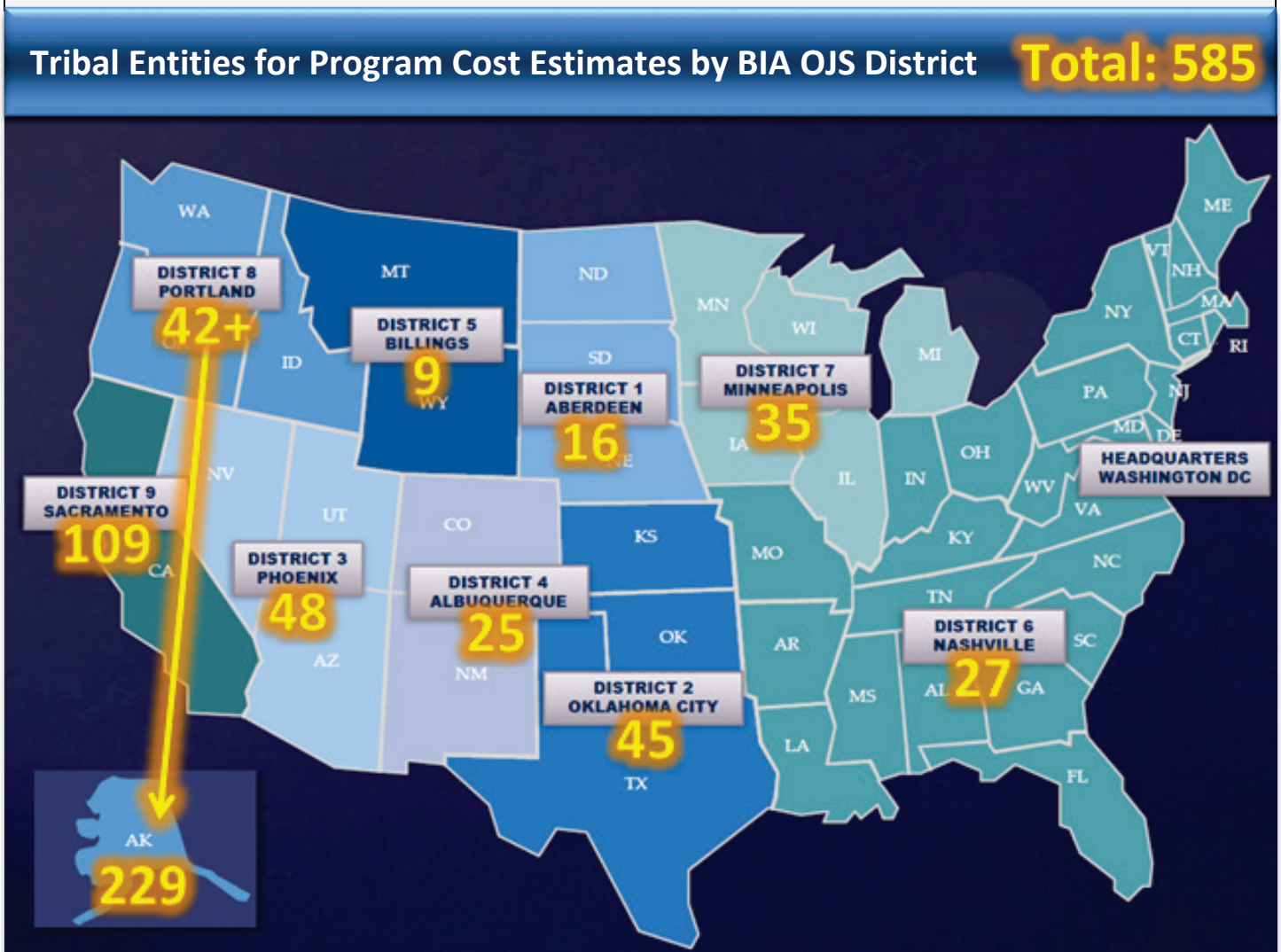
<b>Summary of Total Estimated Tribal Public Safety &amp; Justice Program Costs</b>					
<b>State</b>	<b>Number of Tribes</b>	<b>Total Estimated Indian Service Population</b>	<b>Annual Program Cost Estimate (Dollars in Thousands)</b>		
			<b>Law Enforcement</b>	<b>Detention/ Corrections (Existing Programs Only)</b>	<b>Tribal Courts</b>
<b>Non-Public Law 83-280 States</b>					
Alabama	1	1,914	\$ 2,019	\$ -	\$ 2,000
Arizona	19	118,566	\$ 47,694	\$ 43,254	\$ 48,405
Colorado	2	3,444	\$ 4,038	\$ 4,271	\$ 4,000
Connecticut	2	5,859	\$ 4,038	\$ -	\$ 4,000
District Of Columbia	0	0	\$ -	\$ 11,306	\$ -
Florida	2	4,269	\$ 2,686	\$ -	\$ 2,723
Iowa	1	1,426	\$ 1,333	\$ -	\$ 1,320
Idaho	4	15,726	\$ 7,013	\$ 5,157	\$ 7,043
Kansas	4	2,957	\$ 5,331	\$ -	\$ 5,280
Louisiana	4	1,985	\$ 3,332	\$ -	\$ 3,490
Massachussets	2	3,285	\$ 2,686	\$ -	\$ 2,723
Maine	4	9,491	\$ 8,077	\$ -	\$ 8,000
Michigan	12	33,432	\$ 21,525	\$ 2,822	\$ 21,446
Mississippi	1	9,199	\$ 2,994	\$ 6,007	\$ 3,000
Montana	7	46,435	\$ 18,876	\$ 33,438	\$ 18,999
North Carolina	1	8,600	\$ 2,994	\$ 2,479	\$ 3,000
North Dakota	4	35,463	\$ 12,685	\$ 10,504	\$ 12,999
New Mexico	23	245,712	\$ 97,573	\$ 42,421	\$ 104,256
Nevada	24	48,914	\$ 40,990	\$ 3,492	\$ 40,852
New York	8	47,564	\$ 17,349	\$ -	\$ 17,446
Oklahoma	38	471,738	\$ 161,364	\$ 4,445	\$ 170,438
Rhode Island	1	2,046	\$ 2,019	\$ -	\$ 2,000
South Carolina	1	1,847	\$ 2,019	\$ -	\$ 2,000
South Dakota	8	71,095	\$ 22,583	\$ 38,022	\$ 23,319
Tennessee	0	0	\$ -	\$ -	\$ -
Texas	3	2,412	\$ 3,332	\$ -	\$ 3,363
Utah	5	8,573	\$ 7,350	\$ 5,176	\$ 7,280
Washington	29	178,956	\$ 59,177	\$ 17,983	\$ 59,041
Wyoming	2	12,312	\$ 5,168	\$ 1,500	\$ 5,320
<b>Totals - Non-P.L. 280 States</b>	<b>212</b>	<b>1,393,220</b>	<b>\$ 566,244</b>	<b>\$ 232,277</b>	<b>\$ 583,742</b>
<b>Public Law 83-280 States</b>					
Alaska	229	143,268	\$ 162,329	\$ 675	\$ 174,853
California	109	281,112	\$ 206,593	\$ -	\$ 205,741
Minnesota	11	42,210	\$ 18,799	\$ 3,858	\$ 18,683
Nebraska	4	15,360	\$ 8,520	\$ 1,545	\$ 8,640
Oregon	9	59,121	\$ 21,010	\$ 1,449	\$ 21,042
Wisconsin	11	34,876	\$ 24,162	\$ 2,019	\$ 23,999
<b>Totals - P.L. 280 States</b>	<b>373</b>	<b>575,947</b>	<b>\$ 441,412</b>	<b>\$ 9,546</b>	<b>\$ 452,958</b>
<b>All States</b>					
<b>Grand Totals - All States</b>	<b>585</b>	<b>1,969,167</b>	<b>\$ 1,007,656</b>	<b>\$ 241,823</b>	<b>\$ 1,036,700</b>



**APPENDIX A: SUMMARY OF FINDINGS BY STATE**

There were 567 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (585) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. Of the 585, there are 212 tribal entities located in non-P.L. 280 states, and 373 tribes are located in P.L. 280 states, primarily in Alaska and California.

**Figure A-1. Tribal Entities for Program Cost Estimates by BIA OJS District, FY 2016**



The following tables summarize data for BIA Public Safety and Justice programs by state. There are separate tables for Law Enforcement, Detention/Corrections, and Tribal Court programs. Each table shows by state the number of tribes, the total estimated tribal service population, the annual estimated cost of those programs and Federal FTE and BIA appropriations expended for Fiscal Year 2016. The information is broken out by P.L. 280 states - where tribes are subject to full or partial (concurrent) state criminal jurisdiction under P.L. 83-280 and non-P.L. 280 states, where the Federal Government and tribes have primary jurisdiction. The BIA funding and FTE information are further broken down into data by service provider, whether by BIA or through tribal 638 contracts or self-governance compacts.

**Table A-1. BIA Law Enforcement Appropriations Expended and Federal FTE by State, FY 2016**

**Law Enforcement**  
(Dollars in Thousands)

**Non-Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program Cost Estimate	FY 2016	
				Federal FTE	BIA Appropriations Expended
Alabama	1	1,914	\$ 2,019	0	\$ 426
Arizona	19	118,566	\$ 47,694	51	\$ 33,942
Colorado	2	3,444	\$ 4,038	14	\$ 2,822
Connecticut	2	5,859	\$ 4,038	0	\$ 699
District Of Columbia	0	0	\$ -	98	\$ 27,334
Florida	2	4,269	\$ 2,686	0	\$ 1,516
Iowa	1	1,426	\$ 1,333	0	\$ -
Idaho	4	15,726	\$ 7,013	0	\$ 3,808
Kansas	4	2,957	\$ 5,331	0	\$ 1,024
Louisiana	4	1,985	\$ 3,332	0	\$ 1,337
Massachussets	2	3,285	\$ 2,686	0	\$ 131
Maine	4	9,491	\$ 8,077	0	\$ 1,575
Michigan	12	33,432	\$ 21,525	0	\$ 5,151
Mississippi	1	9,199	\$ 2,994	0	\$ 1,465
Montana	7	46,435	\$ 18,876	39	\$ 14,105
North Carolina	1	8,600	\$ 2,994	0	\$ 460
North Dakota	4	35,463	\$ 12,685	54	\$ 8,594
New Mexico	23	245,712	\$ 97,573	93	\$ 47,024
Nevada	24	48,914	\$ 40,990	19	\$ 7,159
New York	8	47,564	\$ 17,349	0	\$ 804
Oklahoma	38	471,738	\$ 161,364	41	\$ 13,229
Rhode Island	1	2,046	\$ 2,019	0	\$ 211
South Carolina	1	1,847	\$ 2,019	0	\$ -
South Dakota	8	71,095	\$ 22,583	35	\$ 16,127
Tennessee	0	0	\$ -	5	\$ 818
Texas	3	2,412	\$ 3,332	0	\$ 478
Utah	5	8,573	\$ 7,350	14	\$ 1,692
Washington	29	178,956	\$ 59,177	4	\$ 11,369
Wyoming	2	12,312	\$ 5,168	22	\$ 3,119
<b>Totals</b>	<b>212</b>	<b>1,393,220</b>	<b>\$ 566,244</b>	<b>491</b>	<b>\$ 206,421</b>



<b>BIA Direct Service Programs</b>	<b>491</b>	<b>\$ 83,830</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>0</b>	<b>\$ 122,591</b>

**Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program Cost Estimate	FY 2016	
				Federal FTE	BIA Appropriations Expended
Alaska	229	143,268	\$ 162,329	0	\$ 813
California	109	281,112	\$ 206,593	2	\$ 1,129
Minnesota	11	42,210	\$ 18,799	5	\$ 3,971
Nebraska	4	15,360	\$ 8,520	7	\$ 3,309
Oregon	9	59,121	\$ 21,010	0	\$ 1,910
Wisconsin	11	34,876	\$ 24,162	4	\$ 2,636
<b>Totals</b>	<b>373</b>	<b>575,947</b>	<b>\$ 441,412</b>	<b>18</b>	<b>\$ 13,769</b>



<b>BIA Direct Service Programs</b>	<b>18</b>	<b>\$ 2,745</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>0</b>	<b>\$ 11,023</b>

**All States**

<b>Grand Totals</b>	<b>585</b>	<b>1,969,167</b>	<b>\$ 1,007,656</b>	<b>509</b>	<b>\$ 220,190</b>
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<b>BIA Direct Service Programs</b>	<b>509</b>	<b>\$ 86,575</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>0</b>	<b>\$ 133,614</b>

Table A-2. BIA Detention/Correction Programs Appropriations Expended and Federal FTE by State, FY 2016

**Detention / Corrections**  
(Dollars in Thousands)

**Non-Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program Cost Estimate	FY 2016	
				Federal FTE	BIA Appropriations Expended
Alabama	1	1,914	\$ -	0	\$ -
Arizona	19	118,566	\$ 43,254	29	\$ 21,512
Colorado	2	3,444	\$ 4,271	34	\$ 3,311
Connecticut	2	5,859	\$ -	0	\$ -
District Of Columbia	0	0	\$ 11,306	3	\$ 11,306
Florida	2	4,269	\$ -	0	\$ -
Iowa	1	1,426	\$ -	0	\$ -
Idaho	4	15,726	\$ 5,157	0	\$ 4,256
Kansas	4	2,957	\$ -	0	\$ -
Louisiana	4	1,985	\$ -	0	\$ -
Massachussets	2	3,285	\$ -	0	\$ -
Maine	4	9,491	\$ -	0	\$ -
Michigan	12	33,432	\$ 2,822	0	\$ 137
Mississippi	1	9,199	\$ 6,007	0	\$ 2,931
Montana	7	46,435	\$ 33,438	60	\$ 12,055
North Carolina	1	8,600	\$ 2,479	0	\$ 902
North Dakota	4	35,463	\$ 10,504	36	\$ 8,100
New Mexico	23	245,712	\$ 42,421	6	\$ 10,488
Nevada	24	48,914	\$ 3,492	16	\$ 1,719
New York	8	47,564	\$ -	0	\$ -
Oklahoma	38	471,738	\$ 4,445	1	\$ 326
Rhode Island	1	2,046	\$ -	0	\$ -
South Carolina	1	1,847	\$ -	0	\$ -
South Dakota	8	71,095	\$ 38,022	47	\$ 19,126
Tennessee	0	0	\$ -	0	\$ -
Texas	3	2,412	\$ -	0	\$ -
Utah	5	8,573	\$ 5,176	3	\$ 398
Washington	29	178,956	\$ 17,983	8	\$ 8,352
Wyoming	2	12,312	\$ 1,500	10	\$ 1,078
<b>Totals</b>	<b>212</b>	<b>1,393,220</b>	<b>\$ 232,277</b>	<b>253</b>	<b>\$ 105,996</b>



<b>BIA Direct Service Programs</b>	<b>253</b>	<b>\$ 45,241</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>0</b>	<b>\$ 60,755</b>

**Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program Cost Estimate	FY 2016	
				Federal FTE	BIA Appropriations Expended
Alaska	229	143,268	\$ 675	0	\$ 11
California	109	281,112	\$ -	0	\$ -
Minnesota	11	42,210	\$ 3,858	1	\$ 1,723
Nebraska	4	15,360	\$ 1,545	4	\$ 1,160
Oregon	9	59,121	\$ 1,449	0	\$ 481
Wisconsin	11	34,876	\$ 2,019	1	\$ 724
<b>Totals</b>	<b>373</b>	<b>575,947</b>	<b>\$ 9,546</b>	<b>6</b>	<b>\$ 4,099</b>



<b>BIA Direct Service Programs</b>	<b>6</b>	<b>\$ 843</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>0</b>	<b>\$ 3,256</b>

**All States**

<b>Grand Totals</b>	<b>585</b>	<b>1,969,167</b>	<b>\$ 241,823</b>	<b>260</b>	<b>\$ 110,095</b>
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<b>BIA Direct Service Programs</b>	<b>260</b>	<b>\$ 46,084</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>0</b>	<b>\$ 64,011</b>

**Table A-3. BIA Tribal Courts Programs Appropriations Expended and Federal FTE by State, FY 2016**

**Tribal Courts**  
(Dollars in Thousands)

**Non-Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program Cost Estimate	FY 2016	
				Federal FTE	BIA Appropriations Expended
Alabama	1	1,914	\$ 2,000	0	\$ -
Arizona	19	118,566	\$ 48,405	0	\$ 3,737
Colorado	2	3,444	\$ 4,000	0	\$ 649
Connecticut	2	5,859	\$ 4,000	0	\$ -
District Of Columbia	0	0	\$ -	7	\$ 6,709
Florida	2	4,269	\$ 2,723	0	\$ -
Iowa	1	1,426	\$ 1,320	0	\$ -
Idaho	4	15,726	\$ 7,043	0	\$ 540
Kansas	4	2,957	\$ 5,280	0	\$ 22
Louisiana	4	1,985	\$ 3,490	0	\$ 61
Massachussets	2	3,285	\$ 2,723	0	\$ -
Maine	4	9,491	\$ 8,000	0	\$ 252
Michigan	12	33,432	\$ 21,446	0	\$ 119
Mississippi	1	9,199	\$ 3,000	0	\$ 300
Montana	7	46,435	\$ 18,999	0	\$ 3,091
North Carolina	1	8,600	\$ 3,000	0	\$ 949
North Dakota	4	35,463	\$ 12,999	1	\$ 2,338
New Mexico	23	245,712	\$ 104,256	0	\$ 3,984
Nevada	24	48,914	\$ 40,852	0	\$ 846
New York	8	47,564	\$ 17,446	0	\$ 21
Oklahoma	38	471,738	\$ 170,438	5	\$ 1,200
Rhode Island	1	2,046	\$ 2,000	0	\$ -
South Carolina	1	1,847	\$ 2,000	0	\$ -
South Dakota	8	71,095	\$ 23,319	0	\$ 3,952
Tennessee	0	0	\$ -	0	\$ -
Texas	3	2,412	\$ 3,363	0	\$ -
Utah	5	8,573	\$ 7,280	0	\$ 179
Washington	29	178,956	\$ 59,041	0	\$ 2,554
Wyoming	2	12,312	\$ 5,320	0	\$ 1,824
<b>Totals</b>	<b>212</b>	<b>1,393,220</b>	<b>\$ 583,742</b>	<b>12</b>	<b>\$ 33,326</b>
<b>BIA Direct Service Programs</b>				<b>12</b>	<b>\$ 8,519</b>
<b>Tribally Contracted/Compacted Programs</b>				<b>0</b>	<b>\$ 24,807</b>

**Public Law 83-280 States**

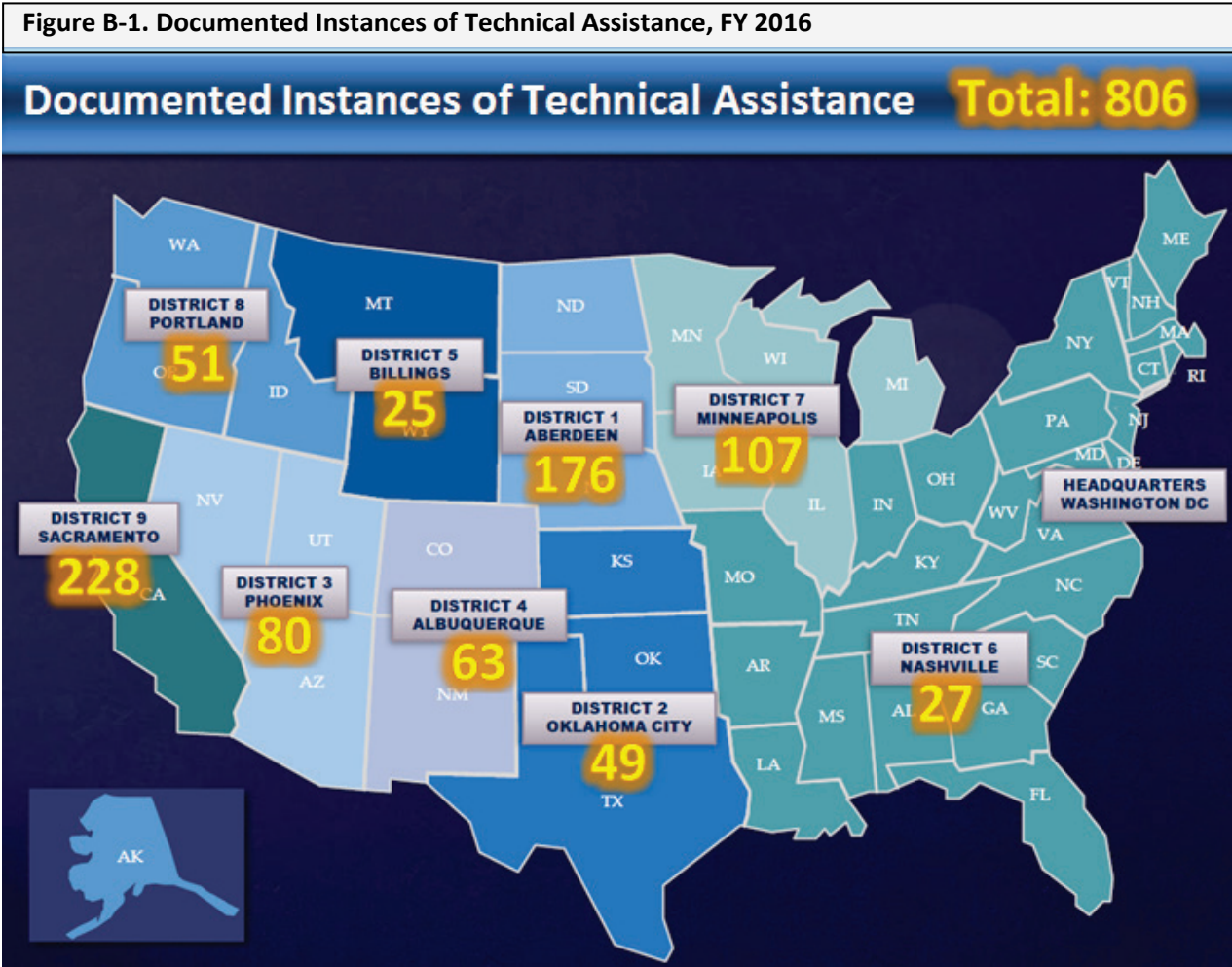
State	Number of Tribes	Total Estimated Indian Service Population	Annual Program Cost Estimate	FY 2016	
				Federal FTE	BIA Appropriations Expended
Alaska	229	143,268	\$ 174,853	0	\$ 5,354
California	109	281,112	\$ 205,741	0	\$ 2,433
Minnesota	11	42,210	\$ 18,683	0	\$ 1,796
Nebraska	4	15,360	\$ 8,640	0	\$ 365
Oregon	9	59,121	\$ 21,042	0	\$ 417
Wisconsin	11	34,876	\$ 23,999	0	\$ 1,432
<b>Totals</b>	<b>373</b>	<b>575,947</b>	<b>\$ 452,958</b>	<b>0</b>	<b>\$ 11,796</b>
<b>BIA Direct Service Programs</b>				<b>0</b>	<b>\$ -</b>
<b>Tribally Contracted/Compacted Programs</b>				<b>0</b>	<b>\$ 11,796</b>

**All States**

<b>Grand Totals</b>	<b>585</b>	<b>1,969,167</b>	<b>\$ 1,036,700</b>	<b>12</b>	<b>\$ 45,122</b>
<b>BIA Direct Service Programs</b>				<b>12</b>	<b>\$ 8,519</b>
<b>Tribally Contracted/Compacted Programs</b>				<b>0</b>	<b>\$ 36,603</b>

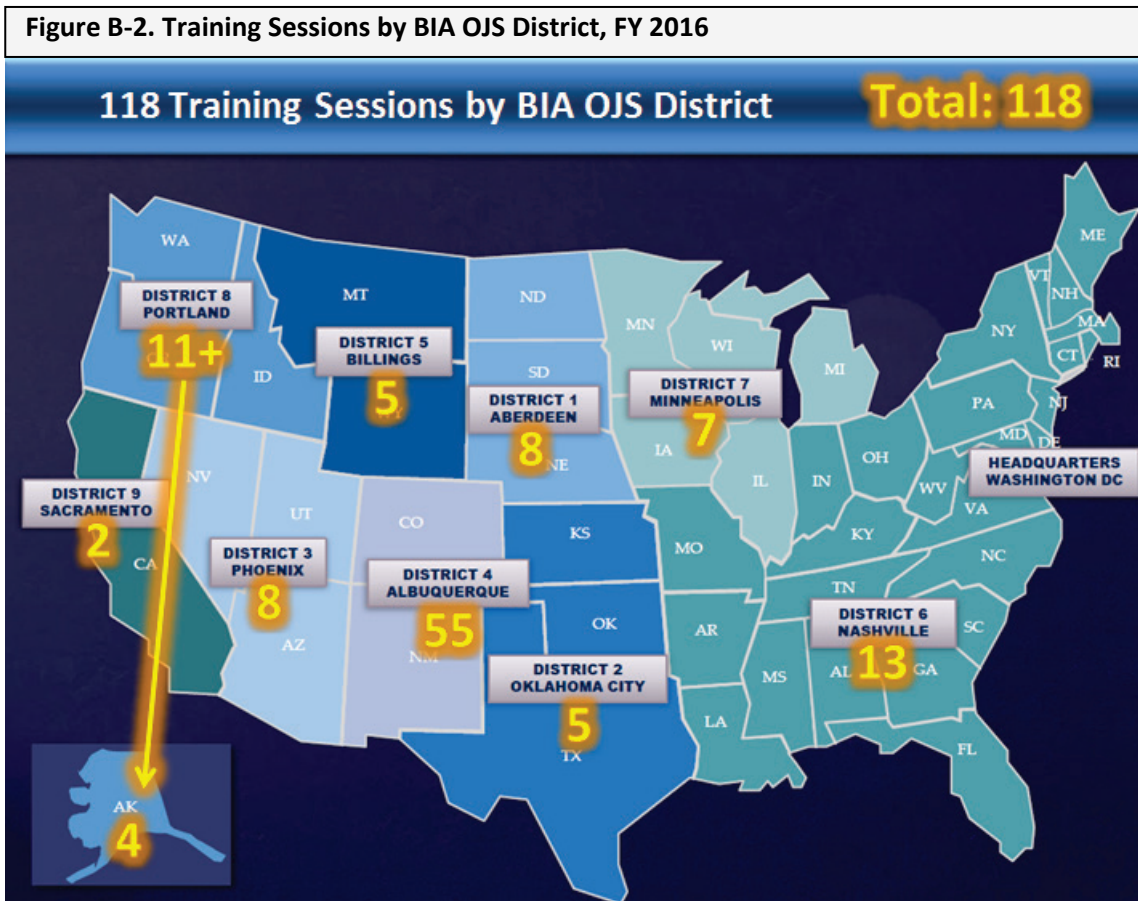
**APPENDIX B: REPORT OF PS&J TECHNICAL ASSISTANCE / TRAINING**

In accordance with Section 211 (b)(17) of the TLOA, the BIA Office of Justice Services maintains records documenting technical assistance and training provided to tribes. With regard to technical assistance, various forms of communication are included, such as formal meetings, written correspondence, conference and phone calls, and emails. The data is summarized below by BIA OJS District, totaling 806 instances of technical assistance during FY 2016.



The BIA Office of Justice Services, through the U.S. Indian Police Academy and the Office of Tribal Justice Support, completed or funded a total of 118 training sessions during FY 2016. Overall, 2,494 tribal and Federal public safety personnel received training during the year. The number of personnel trained by type and training sessions by location are summarized below.

Table B-1. BIA PS&J Training by Type		
Training by Type		Individuals Trained
		FY 2016
Indian Police Academy		
	Basic - Rural Police Officer	92
	Basic - Corrections Officer	116
	Basic - Telecommunications Officer	82
	Advanced Courses (Artesia, NM)	502
	Advanced Courses (Glynco, GA)	64
	Advanced Courses (Exported to 11 locations)	145
	Employee Background / Adjudication	124
Tribal Justice Support		
	VAWA-Specific Training for court personnel	412
	Child Welfare-Specific Training	173
	Drug Court-Specific Training	17
	Other Tribal Court Training	141
Criminal Jurisdiction in Indian Country (DOJ-Partnered)		626
<b>Totals</b>		<b>2,494</b>



## APPENDIX C: TRIBAL LAW AND ORDER ACT REPORTING REQUIREMENTS

Public Law 111-211, The Tribal Law and Order Act of 2010 Section 211 (b)(16), requires the Bureau of Indian Affairs (BIA), Office of Justice Services (OJS) to submit to the appropriate committees of Congress, for each fiscal year, a detailed spending report regarding tribal Public Safety and Justice programs that includes –

- (A) (i) the number of full-time employees of the BIA and tribal governments who serve as—
  - (I) criminal investigators;
  - (II) uniform police;
  - (III) police and emergency dispatchers;
  - (IV) detention officers;
  - (V) executive personnel, including special agents in charge, and directors and deputies of various offices in the Office of Justice Services; and
  - (VI) Tribal Court judges, prosecutors, public defenders, appointed defense counsel, or related staff; and
- (ii) the amount of appropriations obligated for each category described in clause (i) for each fiscal year;
- (B) a list of amounts dedicated to Law Enforcement and Detention/Corrections, vehicles, related transportation costs, equipment, inmate transportation costs, inmate transfer costs, replacement, improvement, and repair of facilities, personnel transfers, detailees and costs related to their details, emergency events, public safety and justice communications and technology costs, and Tribal Court personnel, facilities, indigent defense, and related program costs;
- (C) a list of the unmet staffing needs of law enforcement, corrections, and court personnel (including indigent defense and prosecution staff) at tribal and BIA justice agencies, the replacement and repair needs of tribal and BIA corrections facilities, needs for tribal police and court facilities, and public safety and emergency communications and technology needs.
- (D) the formula, priority list or other methodology used to determine the method of disbursement of funds for the Public Safety and Justice programs administered by the OJS.

Section 211 (b)(17), requires the BIA to submit to the appropriate committees of Congress, for each fiscal year, a report summarizing the technical assistance, training, and other support provided to tribal law enforcement and corrections agencies that operate relevant programs pursuant to self-determination contracts or self-governance compacts with the Secretary.