

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS OFFICE OF JUSTICE SERVICES

As part of the announced reform efforts to justice services, the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) is announcing the implementation of the following set of initial action items.

- **Policy**

1. Update policies and procedures, in collaboration with federal partners, to address in-custody death investigations, through updated memoranda of understanding.
2. Develop a long-term strategy to station Internal Affairs investigators in geographic locations that will allow for a timelier response to in-custody death investigations.
3. Revise existing law enforcement and detention handbooks to contain appropriate policy updates, and where applicable, standard operating procedures.
4. Develop an Internal Affairs in-custody death investigation standard operating procedure.
5. Brief active in-custody death investigations monthly to the OJS Director.
6. Include written declinations from prosecutorial authorities within Internal Affairs investigative case files. (COMPLETED)
7. Create a Professional Standards Directorate responsible for the creation, management, and standard review of policy as well as program inspections.

- **Training**

1. Internal Affairs criminal investigators shall attend a Federal Law Enforcement Training Centers (FLETC) Basic Criminal Investigations Training Program.
2. Internal Affairs criminal investigators shall attend an Internal Affairs training program.
3. Internal Affairs criminal investigators shall attend an advanced interview and interrogation techniques program.
4. Evaluate and consider requiring additional training courses that may be relevant to conducting administrative in-custody death investigations.
5. Formally adopt a structured training management program for newly hired Internal Affairs criminal investigators.
6. Develop a training management program to support annual education requirements of existing Internal Affairs criminal investigators.

- **Operations**

1. Identify employee misconduct and clearly document in-custody death investigations.
2. Implement a 90-day supervisory case file review for Internal Affairs investigative case files.
3. Implement an investigative timeline for Internal Affairs investigative case files. (COMPLETE)

4. Include a copy of a detention center's Serious Incident Report in the Internal Affairs investigative case files. (COMPLETE)
5. Internal Affairs investigators shall follow Department policy regarding appropriate use of rights advisements during investigations. (COMPLETE)
6. Track Internal Affairs investigative case files to consider any identifiable policy or process improvements as an area for potential improvement.
7. The appropriate criminal prosecutor shall review Internal Affairs investigative case files to determine employee misconduct. (COMPLETE)
8. Implement a standardized Internal Affairs investigative case file - report of investigation.
9. Implement an investigative plan for Internal Affairs investigative case files.
10. Include separate sections for criminal investigation and administrative records within Internal Affairs investigative case files. (COMPLETED)
11. Implement agency Boards of Review for in-custody death investigations.

- **Interagency Agreements**

1. Develop inter-agency agreements to clearly define the roles of Federal criminal investigators and internal affairs investigators during in-custody death investigations.
2. Review and update existing memoranda of understanding and/or inter-agency agreements regarding inmate healthcare.
3. Develop inter-agency agreements to clearly define the roles of Federal criminal investigators and internal affairs investigators during in-custody death investigations.

- **Information Technology**

1. Explore and implement Information Technology (IT) solutions, which could allow for the automated logging of detention cell checks for enhanced accountability.