



## **Bureau of Indian Affairs - Office of Justice Services**



# **Report to the Congress on Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2017**

**March 1, 2020**

# Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2017

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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 2017.

### 2017 Spending:

- Law Enforcement: \$221.2 million
- Detention/Corrections: \$112.9 million
- Tribal Courts: \$49.6 million including court assessments and technical assistance

### 2017 Staffing, BIA actual and tribal estimated:

- Law Enforcement: 1,921 FTE
- Detention/Corrections: 1,281 FTE
- Tribal Courts: 495 FTE

### 2017 Total Estimated Costs:

- Law Enforcement, including P.L. 280 States: \$1.3 billion
- Detention/Corrections, existing programs only: \$240.6 million
- Tribal Courts, including P.L. 280 States: \$1.2 billion

The 2017 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: 837 documented instances
- Training: 101 sessions serving 3,107 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) to 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 2017, 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 this 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 and FTE needs 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 191 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. Therefore, the percentage of need funded by state is used to estimate tribal FTE figures. 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 in Figure 1) to ensure budget increases “reach the areas with the greatest need.”

**Figure 1. Factors Considered to Determine Allocation of New PS&J Resources**

#### **Criminal Investigations & Police Services**

**Violent crime rate**  
**Staffing levels/shortages by parity ratios**  
**Service population**  
**Size/land base to be serviced**  
**Calls for service**  
**Prevalence of drug/gang activity**



#### **Detention / Corrections**

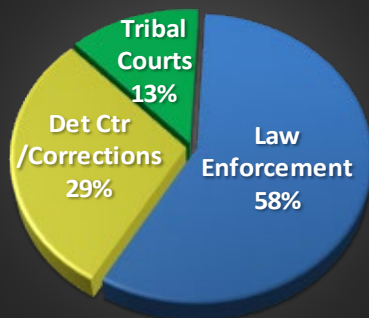
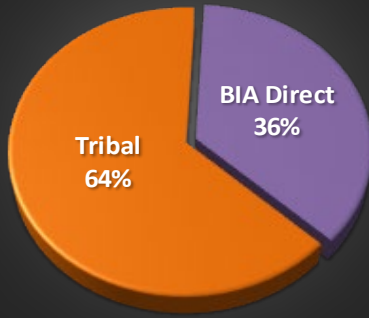
**Annual inmate intake**  
**Staffing levels/shortages by parity ratios**  
**Violent crime rate**  
**Service population**  
**Size/land base to be serviced (transport)**  
**Consideration of new facilities**

**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 2017, BIA funding obligated for Law Enforcement programs reached \$221.2 million. About 40 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

**Table 1. Summary of Funding and Federal FTE for BIA-funded Public Safety & Justice Programs, FY 2017**

Program/Operator	FY 2017		Funding by Program
	FTE	BIA Appropriations Expended	
<b>Law Enforcement</b>			
BIA Direct Services	496	88,461	
Tribally Contracted/Compacted Programs	1,424	132,742	
<b>Total Law Enforcement</b>	<b>1,920</b>	<b>\$ 221,203</b>	
<b>Det Ctr/Corrections</b>			
BIA Direct Services	262	42,811	
Tribally Contracted/Compacted Programs	1,019	70,134	
<b>Total Det Ctr/Corrections</b>	<b>1,281</b>	<b>\$ 112,945</b>	
<b>Tribal Courts</b>			
BIA Direct Services	18	7,135	
Tribally Contracted/Compacted Programs	477	42,441	
<b>Total Tribal Courts</b>	<b>495</b>	<b>\$ 49,576</b>	
<b>PS&amp;J Programs</b>			
BIA Direct Services	776	138,408	
Tribally Contracted/Compacted Programs	2,920	245,317	
<b>Total PS&amp;J Programs</b>	<b>3,696</b>	<b>\$ 383,725</b>	

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 2017, BIA funding for Detention/Corrections programs reached \$112.9 million. Roughly 38 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 2017, BIA funding for the Tribal Courts program reached \$49.5 million including court operations, court assessments, and technical assistance. Over 85 percent of the funding was allotted to tribally contracted/compacted programs. The remainder funded court assessments and BIA technical assistance. Approximately one third of the total funded Tribal Court activities in P.L. 280 states, as directed by Congress.

#### BIA Staffing of PS&J Programs

In 2017, BIA-operated Law Enforcement programs employed 496 FTE, Detention/Corrections programs employed 262 FTE, and the Tribal Courts budget line item supported a staff of 18 FTE for BIA to administer the

program and provide technical support. The number of FTE employed by tribes operating these programs under contract is uncertain. Tribes, by law, are not required to provide employment information and most tribes do not provide such information. However, applying the percentage of total estimated program costs that were actually funded in FY 2017 to the budget models utilized for this report enables us to estimate the tribal FTE funded by BIA for FY 2017. The resulting figures are 1,424 tribal FTE for Law Enforcement, 1,019 for Detention/Corrections, and 477 for Tribal Courts.

#### IV. TOTAL ESTIMATED COSTS

The report provides an estimated total FTE and 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 FTE and 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 \$2.3 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 757,000, whereas tribes with a service population ranging from 16,251-19,500 would require a Law Enforcement presence three times the basic program size at an annual cost of \$6.7 million.

**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

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

Scalable Law Enforcement Budget Model			
Tribal Service Population Size	Law Enforcement Need	Number of Positions	Annual Cost (\$000)
<600	Basic @ ≈1/3 capacity	7	\$ 757
600-1,600	Basic @ ≈2/3 capacity	14	\$ 1,515
1,601-6,500	Basic	21	\$ 2,295
6,501-9,750	Basic @ ≈50% incr. capacity	30	\$ 3,443
9,751-13,000	Basic @ ≈100% incr. capacity	41	\$ 4,723
13,001-16,250	Basic @ ≈150% incr. capacity	48	\$ 5,644
16,251-19,500	Basic @ ≈200% incr. capacity	56	\$ 6,669
19,501+	Basic @ ≈250% incr. capacity	73	\$ 8,750

Scalable Tribal Court Budget Model			
Tribal Service Population Size	Tribal Court Need	Number of Positions	Annual Cost (\$000)
<600	Part Time (4.3 months)	7	\$ 724
600-1,600	Part Time (8 Months)	13	\$ 1,320
1,601-6,500	Full Time	20	\$ 2,000
6,501-9,750	Full Time X 1.5	30	\$ 3,000
9,751-13,000	Full Time X 2	40	\$ 4,000
13,001-16,250	Full Time X 2.5	50	\$ 5,000
16,251-19,500	Full Time X 3	60	\$ 6,000
19,501+	Full Time X 3.5	70	\$ 7,000

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 \$724,000, 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 \$1.3 billion for Law Enforcement Programs, \$240.6 million for existing Detention Centers, and \$1.2 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 581 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**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate (Dollars in Thousands)					
			Law Enforcement		Detention/ Corrections (Existing Programs Only)		Tribal Courts	
			FTE	(\$000)	FTE	(\$000)	FTE	(\$000)

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

Alabama	1	1,914	21	\$ 2,295	0	\$ -	20	\$ 2,000
Arizona	20	118,566	516	\$ 59,025	494	\$ 45,450	514	\$ 51,404
Colorado	2	3,444	42	\$ 4,590	46	\$ 4,579	40	\$ 4,000
Connecticut	2	5,859	42	\$ 4,590	0	\$ -	40	\$ 4,000
District Of Columbia	0	0	0	\$ -	0	\$ -	0	\$ -
Florida	2	4,269	28	\$ 3,052	0	\$ -	27	\$ 2,723
Iowa	1	1,426	14	\$ 1,515	0	\$ -	13	\$ 1,320
Idaho	4	15,726	71	\$ 8,010	64	\$ 5,568	70	\$ 7,043
Kansas	4	2,957	55	\$ 6,059	0	\$ -	53	\$ 5,280
Louisiana	4	1,985	35	\$ 3,787	0	\$ -	35	\$ 3,490
Massachussets	2	3,285	28	\$ 3,052	0	\$ -	27	\$ 2,723
Maine	4	9,491	84	\$ 9,180	0	\$ -	80	\$ 8,000
Michigan	12	33,432	223	\$ 24,465	35	\$ 2,930	214	\$ 21,446
Mississippi	1	9,199	30	\$ 3,443	61	\$ 6,305	30	\$ 3,000
Montana	7	46,435	193	\$ 21,938	374	\$ 34,625	190	\$ 18,999
North Carolina	1	8,600	30	\$ 3,443	24	\$ 2,560	30	\$ 3,000
North Dakota	4	35,463	132	\$ 15,185	124	\$ 11,337	130	\$ 12,999
New Mexico	23	245,712	1,085	\$ 126,826	478	\$ 43,640	1,046	\$ 104,613
Nevada	18	48,914	299	\$ 32,819	43	\$ 3,653	288	\$ 28,853
New York	8	47,564	175	\$ 19,878	0	\$ -	174	\$ 17,446
Oklahoma	38	471,738	1,867	\$ 217,831	51	\$ 4,483	1,819	\$ 181,889
Rhode Island	1	2,046	21	\$ 2,295	0	\$ -	20	\$ 2,000
South Carolina	1	1,847	21	\$ 2,295	0	\$ -	20	\$ 2,000
South Dakota	8	71,095	289	\$ 33,288	417	\$ 39,812	279	\$ 27,860
Tennessee	0	0	0	\$ -	0	\$ -	0	\$ -
Texas	3	2,412	35	\$ 3,787	0	\$ -	34	\$ 3,363
Utah	5	8,573	76	\$ 8,354	65	\$ 5,363	73	\$ 7,280
Virginia	7	4,447	69	\$ 7,596	0	\$ -	69	\$ 6,937
Washington	29	178,956	613	\$ 67,586	204	\$ 18,775	590	\$ 59,041
Wyoming	2	12,312	55	\$ 6,238	18	\$ 1,610	53	\$ 5,320
<b>Totals - Non-P.L. 280 States</b>	<b>214</b>	<b>1,397,667</b>	<b>6,147</b>	<b>\$ 702,424</b>	<b>2,498</b>	<b>\$ 230,690</b>	<b>5,980</b>	<b>\$ 598,030</b>

**Public Law 83-280 States**

Alaska	227	143,268	2,985	\$ 327,681	8	\$ 676	2,872	\$ 287,325
California	104	281,112	2,028	\$ 222,996	0	\$ -	1,951	\$ 195,145
Minnesota	12	42,210	216	\$ 23,661	46	\$ 4,011	207	\$ 20,682
Nebraska	4	15,360	89	\$ 10,048	19	\$ 1,653	86	\$ 8,640
Oregon	9	59,121	212	\$ 24,079	17	\$ 1,496	210	\$ 21,042
Wisconsin	11	34,876	248	\$ 27,542	22	\$ 2,098	240	\$ 23,999
<b>Totals - P.L. 280 States</b>	<b>367</b>	<b>575,947</b>	<b>5,777</b>	<b>\$ 636,007</b>	<b>112</b>	<b>\$ 9,935</b>	<b>5,567</b>	<b>\$ 556,833</b>

**All States**

<b>Grand Totals - All States</b>	<b>581</b>	<b>1,973,614</b>	<b>11,924</b>	<b>\$ 1,338,430</b>	<b>2,610</b>	<b>\$ 240,625</b>	<b>11,547</b>	<b>\$ 1,154,863</b>
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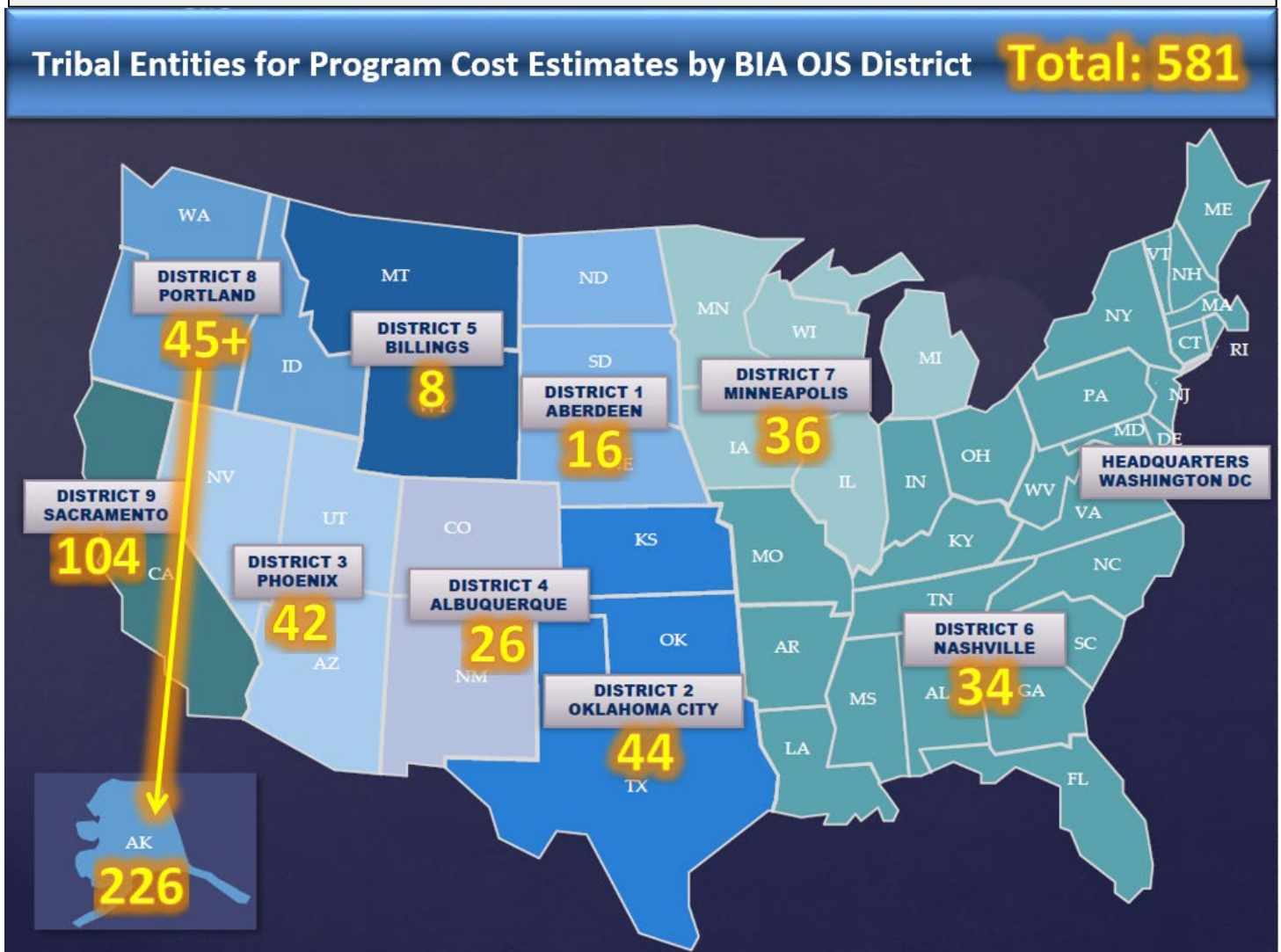
Note: There were 573 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes.



## APPENDIX A: SUMMARY OF FINDINGS BY STATE

There were 573 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) 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 581, there are 214 tribal entities located in non-P.L. 280 states, and 367 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 2017



The following tables summarize data for BIA Public Safety and Justice programs by state. Separate tables are presented 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 FTE and cost of those programs, as well as FTE and BIA appropriations expended for Fiscal Year 2017. 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 2017 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 FTE by State, FY 2017**

**Law Enforcement**  
(Dollars in Thousands)

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

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2017 Total FTE Funded			FY 2017 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alabama	1	1,914	21	\$ 2,295	0	5	5	\$ 499
Arizona	20	118,566	516	\$ 59,025	59	271	330	\$ 37,715
Colorado	2	3,444	42	\$ 4,590	18	10	29	\$ 3,131
Connecticut	2	5,859	42	\$ 4,590	0	7	7	\$ 819
District Of Columbia	0	0	0	\$ -	7	0	7	\$ 2,592
Florida	2	4,269	28	\$ 3,052	0	16	16	\$ 1,776
Iowa	1	1,426	14	\$ 1,515	0	0	0	\$ -
Idaho	4	15,726	71	\$ 8,010	0	40	40	\$ 4,462
Kansas	4	2,957	55	\$ 6,059	0	11	11	\$ 1,200
Louisiana	4	1,985	35	\$ 3,787	0	14	14	\$ 1,553
Massachussets	2	3,285	28	\$ 3,052	0	1	1	\$ 153
Maine	4	9,491	84	\$ 9,180	0	17	17	\$ 1,844
Michigan	12	33,432	223	\$ 24,465	0	43	43	\$ 4,758
Mississippi	1	9,199	30	\$ 3,443	0	15	15	\$ 1,717
Montana	7	46,435	193	\$ 21,938	45	93	138	\$ 15,732
North Carolina	1	8,600	30	\$ 3,443	0	5	5	\$ 540
North Dakota	4	35,463	132	\$ 15,185	65	21	86	\$ 9,877
New Mexico	23	245,712	1,085	\$ 126,826	118	356	474	\$ 55,358
Nevada	18	48,914	299	\$ 32,819	21	50	71	\$ 7,793
New York	8	47,564	175	\$ 19,878	0	8	8	\$ 906
Oklahoma	38	471,738	1,867	\$ 217,831	46	79	125	\$ 14,587
Rhode Island	1	2,046	21	\$ 2,295	0	2	2	\$ 247
South Carolina	1	1,847	21	\$ 2,295	0	0	0	\$ -
South Dakota	8	71,095	289	\$ 33,288	37	120	156	\$ 18,041
Tennessee	0	0	0	\$ -	6	0	6	\$ 1,006
Texas	3	2,412	35	\$ 3,787	0	5	5	\$ 560
Utah	5	8,573	76	\$ 8,354	19	0	19	\$ 2,077
Virginia	7	4,447	69	\$ 7,596	0	0	0	\$ -
Washington	29	178,956	613	\$ 67,586	4	115	119	\$ 13,183
Wyoming	2	12,312	55	\$ 6,238	30	2	31	\$ 3,551
<b>Totals</b>	<b>214</b>	<b>1,397,667</b>	<b>6,147</b>	<b>\$ 702,424</b>	<b>476</b>	<b>1,305</b>	<b>1,781</b>	<b>\$ 205,676</b>

**Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2017 Total FTE Funded			FY 2017 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alaska	227	143,268	2,985	\$ 327,681	0	9	9	\$ 940
California	104	281,112	2,028	\$ 222,996	2	12	14	\$ 1,534
Minnesota	12	42,210	216	\$ 23,661	7	31	37	\$ 4,106
Nebraska	4	15,360	89	\$ 10,048	7	26	33	\$ 3,733
Oregon	9	59,121	212	\$ 24,079	0	20	20	\$ 2,237
Wisconsin	11	34,876	248	\$ 27,542	4	22	27	\$ 2,976
<b>Totals</b>	<b>367</b>	<b>575,947</b>	<b>5,777</b>	<b>\$ 636,007</b>	<b>20</b>	<b>119</b>	<b>140</b>	<b>\$ 15,527</b>

**All States**

<b>Grand Totals</b>	<b>581</b>	<b>1,973,614</b>	<b>11,924</b>	<b>\$ 1,338,430</b>	<b>496</b>	<b>1,424</b>	<b>1,921</b>	<b>\$ 221,203</b>
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<b>BIA Direct Service Programs</b>	<b>496</b>	<b>496</b>	<b>\$ 88,461</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>1,424</b>	<b>1,424</b>	<b>\$ 132,742</b>

Note: There were 573 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) 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. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes.

Table A-2. BIA Detention/Corrections Programs Appropriations Expended and FTE by State, FY 2017

## Detention/Corrections

(Dollars in Thousands)

## Non-Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2017 Total FTE Funded			FY 2017 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alabama	1	1,914	0	\$ -	0	0	0	\$ -
Arizona	20	118,566	494	\$ 45,450	32	228	260	\$ 23,910
Colorado	2	3,444	46	\$ 4,579	32	3	35	\$ 3,496
Connecticut	2	5,859	0	\$ -	0	0	0	\$ -
District Of Columbia	0	0	0	\$ -	0	0	0	\$ -
Florida	2	4,269	0	\$ -	0	0	0	\$ -
Iowa	1	1,426	0	\$ -	0	0	0	\$ -
Idaho	4	15,726	64	\$ 5,568	0	54	54	\$ 4,671
Kansas	4	2,957	0	\$ -	0	0	0	\$ -
Louisiana	4	1,985	0	\$ -	0	0	0	\$ -
Massachusetts	2	3,285	0	\$ -	0	0	0	\$ -
Maine	4	9,491	0	\$ -	0	0	0	\$ -
Michigan	12	33,432	35	\$ 2,930	0	15	15	\$ 1,230
Mississippi	1	9,199	61	\$ 6,305	0	33	33	\$ 3,386
Montana	7	46,435	374	\$ 34,625	60	86	146	\$ 13,472
North Carolina	1	8,600	24	\$ 2,560	0	9	9	\$ 916
North Dakota	4	35,463	124	\$ 11,337	39	64	103	\$ 9,459
New Mexico	23	245,712	478	\$ 43,640	9	143	152	\$ 13,843
Nevada	18	48,914	43	\$ 3,653	16	6	21	\$ 1,822
New York	8	47,564	0	\$ -	0	0	0	\$ -
Oklahoma	38	471,738	51	\$ 4,483	1	4	5	\$ 432
Rhode Island	1	2,046	0	\$ -	0	0	0	\$ -
South Carolina	1	1,847	0	\$ -	0	0	0	\$ -
South Dakota	8	71,095	417	\$ 39,812	46	167	213	\$ 20,322
Tennessee	0	0	0	\$ -	0	0	0	\$ -
Texas	3	2,412	0	\$ -	0	0	0	\$ -
Utah	5	8,573	65	\$ 5,363	5	11	16	\$ 1,337
Virginia	7	4,447	0	\$ -	0	0	0	\$ -
Washington	29	178,956	204	\$ 18,775	8	90	98	\$ 8,987
Wyoming	2	12,312	18	\$ 1,610	10	4	14	\$ 1,249
<b>Totals</b>	<b>214</b>	<b>1,397,667</b>	<b>2,498</b>	<b>\$ 230,690</b>	<b>257</b>	<b>916</b>	<b>1,173</b>	<b>\$ 108,532</b>

## Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2017 Total FTE Funded			FY 2017 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alaska	227	143,268	8	\$ 676	0	0	0	\$ 12
California	104	281,112	0	\$ -	0	0	0	\$ -
Minnesota	12	42,210	46	\$ 4,011	0	20	20	\$ 1,741
Nebraska	4	15,360	19	\$ 1,653	4	10	14	\$ 1,225
Oregon	9	59,121	17	\$ 1,496	0	6	6	\$ 534
Wisconsin	11	34,876	22	\$ 2,098	1	8	9	\$ 901
<b>Totals</b>	<b>367</b>	<b>575,947</b>	<b>112</b>	<b>\$ 9,935</b>	<b>5</b>	<b>45</b>	<b>50</b>	<b>\$ 4,414</b>

## All States

<b>Grand Totals</b>	<b>581</b>	<b>1,973,614</b>	<b>2,610</b>	<b>\$ 240,625</b>	<b>262</b>	<b>960</b>	<b>1,222</b>	<b>\$ 112,945</b>
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<b>BIA Direct Service Programs</b>	<b>262</b>	<b>262</b>	<b>\$ 42,811</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>960</b>	<b>960</b>	<b>\$ 70,134</b>

Note: There were 573 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) 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. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes. Totals may not add due to rounding.

**Table A-3. BIA Tribal Courts Programs Appropriations Expended and FTE by State, FY 2017**

**Tribal Courts**  
(Dollars in Thousands)

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

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2017 Total FTE Funded			FY 2017 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alabama	1	1,914	20	\$ 2,000	0	0	0	\$ -
Arizona	20	118,566	514	\$ 51,404	0	53	53	\$ 5,337
Colorado	2	3,444	40	\$ 4,000	0	11	11	\$ 1,113
Connecticut	2	5,859	40	\$ 4,000	0	2	2	\$ 164
District Of Columbia	0	0	0	\$ -	1	0	1	\$ 221
Florida	2	4,269	27	\$ 2,723	0	0	0	\$ -
Iowa	1	1,426	13	\$ 1,320	0	0	0	\$ -
Idaho	4	15,726	70	\$ 7,043	0	6	6	\$ 612
Kansas	4	2,957	53	\$ 5,280	0	0	0	\$ -
Louisiana	4	1,985	35	\$ 3,490	0	1	1	\$ 110
Massachusetts	2	3,285	27	\$ 2,723	0	0	0	\$ 30
Maine	4	9,491	80	\$ 8,000	0	1	1	\$ 125
Michigan	12	33,432	214	\$ 21,446	0	3	3	\$ 310
Mississippi	1	9,199	30	\$ 3,000	0	3	3	\$ 287
Montana	7	46,435	190	\$ 18,999	0	38	38	\$ 3,800
North Carolina	1	8,600	30	\$ 3,000	0	7	7	\$ 696
North Dakota	4	35,463	130	\$ 12,999	1	24	25	\$ 2,525
New Mexico	23	245,712	1,046	\$ 104,613	4	40	44	\$ 4,388
Nevada	18	48,914	288	\$ 28,853	0	15	15	\$ 1,488
New York	8	47,564	174	\$ 17,446	0	1	1	\$ 67
Oklahoma	38	471,738	1,819	\$ 181,889	6	13	20	\$ 1,969
Rhode Island	1	2,046	20	\$ 2,000	0	0	0	\$ -
South Carolina	1	1,847	20	\$ 2,000	0	0	0	\$ -
South Dakota	8	71,095	279	\$ 27,860	0	51	51	\$ 5,146
Tennessee	0	0	0	\$ -	0	0	0	\$ -
Texas	3	2,412	34	\$ 3,363	0	0	0	\$ -
Utah	5	8,573	73	\$ 7,280	0	2	2	\$ 202
Virginia	7	4,447	69	\$ 6,937	0	0	0	\$ -
Washington	29	178,956	590	\$ 59,041	0	28	28	\$ 2,770
Wyoming	2	12,312	53	\$ 5,320	5	16	21	\$ 2,065
<b>Totals</b>	<b>214</b>	<b>1,397,667</b>	<b>5,980</b>	<b>\$ 598,030</b>	<b>18</b>	<b>315</b>	<b>333</b>	<b>\$ 33,427</b>

**Public Law 83-280 States**

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2017 Total FTE Funded			FY 2017 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alaska	227	143,268	2,872	\$ 287,325	0	75	75	\$ 7,552
California	104	281,112	1,951	\$ 195,145	0	25	25	\$ 2,540
Minnesota	12	42,210	207	\$ 20,682	0	30	30	\$ 2,961
Nebraska	4	15,360	86	\$ 8,640	0	4	4	\$ 412
Oregon	9	59,121	210	\$ 21,042	0	5	5	\$ 547
Wisconsin	11	34,876	240	\$ 23,999	0	21	21	\$ 2,138
<b>Totals</b>	<b>367</b>	<b>575,947</b>	<b>5,567</b>	<b>\$ 556,833</b>	<b>0</b>	<b>161</b>	<b>161</b>	<b>\$ 16,149</b>

**All States**

<b>Grand Totals</b>	<b>581</b>	<b>1,973,614</b>	<b>11,547</b>	<b>\$ 1,154,863</b>	<b>18</b>	<b>477</b>	<b>495</b>	<b>\$ 49,576</b>
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<b>BIA Direct Service Programs</b>	<b>18</b>	<b>18</b>	<b>\$ 7,135</b>
<b>Tribally Contracted/Compacted Programs</b>	<b>477</b>	<b>477</b>	<b>\$ 42,441</b>

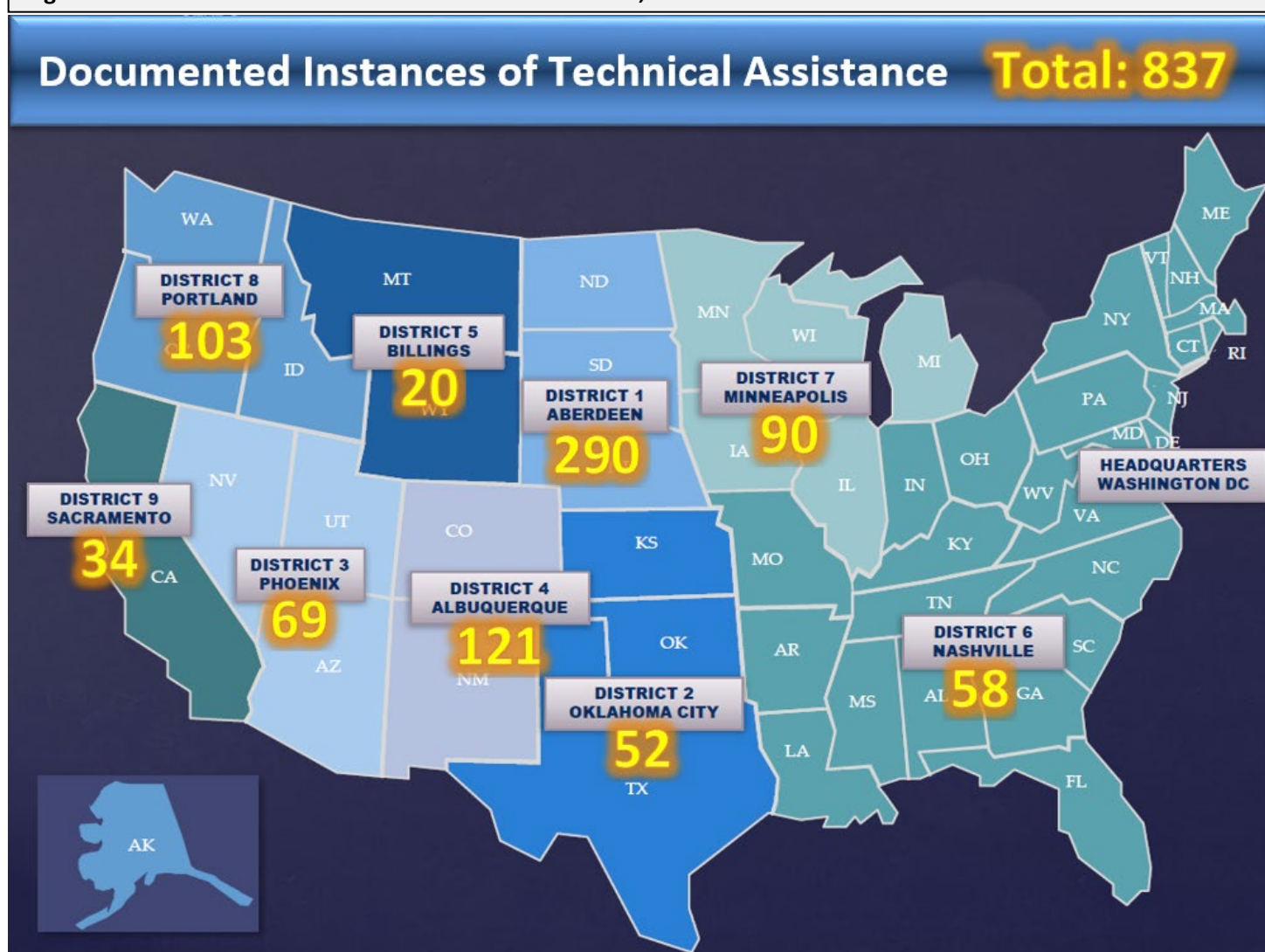
Note: There were 573 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes. Totals may not add due to rounding.



## 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 837 instances of technical assistance during FY 2017.

Figure B-1. Documented Instances of Technical Assistance, FY 2017

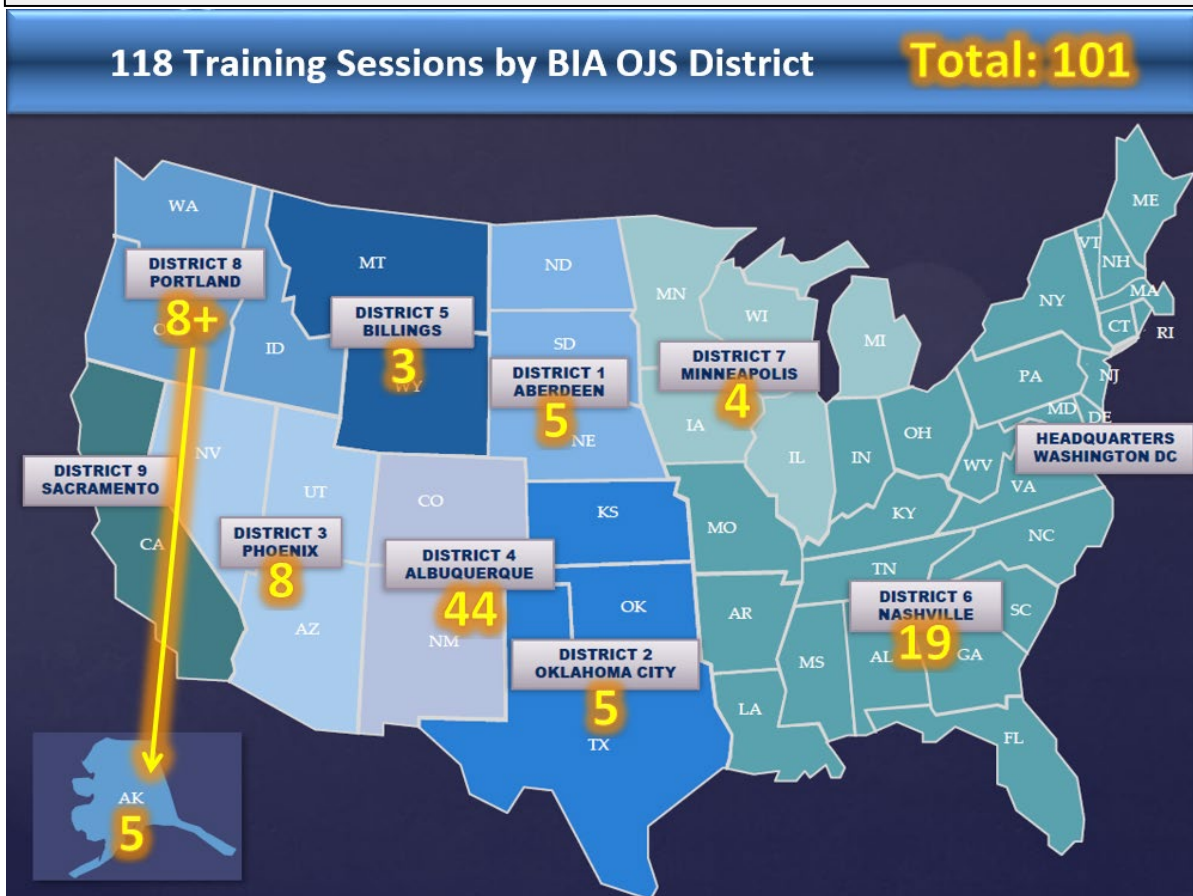




The BIA Office of Justice Services, through the U.S. Indian Police Academy and the Office of Tribal Justice Support, completed or funded a total of 101 training sessions during FY 2017. Overall, 3,107 tribal and Federal public safety personnel received training during the year. The number of personnel trained by type and training sessions by location are summarized below.

<b>Training by Type</b>		<b>Individuals Trained</b>
		<b>FY 2017</b>
Indian Police Academy		
	Basic - Police Officer	110
	Basic - Corrections Officer	92
	Basic - Telecommunications Officer	46
	Advanced Courses (Artesia, NM)	391
	Advanced Courses (Glynco, GA)	48
	Advanced Courses (Exported to 14 locations)	292
	Employee Background / Adjudication	70
Tribal Justice Support		
	VAWA-Specific Training for court personnel	747
	Child Welfare-Specific Training	184
	Drug Court-Specific Training	120
	Other Tribal Court Training	465
Criminal Jurisdiction in Indian Country (DOJ-Partnered)		542
<b>Totals</b>		<b>3,107</b>

**Figure B-2. Training Sessions by BIA OJS District, FY 2017**



## 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.