NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 727

Date & Time Received: 12/04/2023 at 16:20

Date & Time of Response: January 11, 2024 at 14:30

Entity Requesting FRF: Navajo Nation Division of Public Safety

Title of Project: Tse Bitah Justice Center (Shiprock Judicial Public Safety Center & ME Center)

Administrative Oversight: Navajo Nation Division of Public Safety

Amount of Funding Requested: $106,753,497

Eligibility Determination:

- [x] FRF eligible
- [ ] FRF ineligible
- [ ] Additional information requested

FRF Eligibility Category:

- [ ] (1) Public Health and Economic Impact
- [x] (3) Government Services/Lost Revenue
- [ ] (2) Premium Pay
- [ ] (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
6.1 Provision of Government Services

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- [ ] Missing Form
- [ ] Supporting documentation missing
- [ ] Project will not be completed by 12/31/2026
- [ ] Ineligible purpose
- [ ] Submitter failed to timely submit CARES reports
- [ ] Additional information submitted is insufficient to make a proper determination
- [ ] Expenditure Plan incomplete
- [ ] Funds will not be obligated by 12/31/2024
- [ ] Incorrect Signatory
- [ ] Inconsistent with applicable NN or federal laws

Other Comments: Please note that we have modified the requested expenditure code from 1.7 (Capital Investments/ Physical Plant Changes) to 6.1 (Provision of Government Services) to be consistent with previously approved projects.

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: lorenzo Curley

Disclaimers:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Public Safey — Date prepared: 11/14/23
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P. O. Box 1949, Window Rock, Arizona 86515 — phone/email: dgreyeyes@navajo-nsn.gov — website (if any): (928) 245-3240

Form prepared by: Delores Greyeyes — phone/email: (928) 245-3240
Corrections Direcor, Division of Public Safety — same as above
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Tse Bitah Justice Center (Shiprock Judicial Public Safety Center & ME Center)

NN Government Unit's Director or Manager: Delores Greyeys — phone & email: (928) 245-3240

Division Director (if any): Michael Anderson — phone & email: m.anderson@navajo-nsn.gov

Branch Chief: Dr. Buu Nygre, President of the Navajo Nation — phone & email: presidentnygren@navajo-nsn.gov

Funding Recipient will be working with: Michael Anderson, Executive Director on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☑ document attached

Amount of FRF requested: $106,753,497.00 — FRF funding period: January 1, 2024 to December 31, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

ARPA funds is requested to construct the Shiprock Judical Public Safety & ME Center. This is a 101,000 sq. ft. police, investigations, tribal court, and 80 bed corrections facility. This facility is construction shovel ready and will serve 19 Northern Navajo Chapters on the Navajo Nation. This Justice Center will be equiped with new a new HVAC system which will address air quality, circulation of air, screening and isolation of individuals who may be a carrier of contagious diseases and other harmful air borne pathogens. See attachment for additional protections described in the Parson's project managers letter. Also attached is a copy of an article in how Nationally governments are improving services using ARPA.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Shiprock Judicial Public Safety & ME Center will address the need to house new arrests made by the Navajo Police/Investigations,FBI, Courts & its programs and Corrections in addressing crime in the Northern region of the Navajo Nation. The DPS facility was closed in March 2021 due to environmental health & structural issues. Currently all new arrests & sentenced inmates are transported to Kayenta/ Crownpoint Correctional Facility. The new facility will address & decrease crime activity.

☑ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Project timeline to start January 1, 2024 and complete on December 31, 2026. Attached is an expenditure plan with dates and dollar amounts which will be spent during that period. The anticipated challenges include the lengthy contracting process, payment to vendors, NTUA delaying reviews & not ready with utility designs and the procurement process within the Navajo Nation. Externally, there maybe delayes materials that need lead times for construction and the contracting process will further delay ordering of materials.

☑ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Delores Greyeyes, Corrections Director working with Michael Anderson, Division Director.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

These buildings will be inspected by the BIA Office of Facilities Maintenance and requests will be made for Operation and Maintenance funds. The Navajo Police, Criminal Investigations and Corrections wio ensure that their 638 and General funds budgets include operations and maintenance funds.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Other: Capital Investments or Physical Plants Changes to Public facilities that respond to the COVID 19 public health emergency. The Navajo Public Safety facility is a public facility which will house the Navajo Police, Dispatchers, Criminal Investigations the Department of Corrections. These programs are are the first responders to any and all health and public health related emergencies in coordination with the local health facilities.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

1. Parson's Project Management Letter dated November 2, 2023;
2. Article on Counties and the American Rescue Plan Act Recovery Fund: Justice & Public Safety;
3. Navajo Nation Public Safety & Judicial Complex Projects Funding Needs for construction; and
4. Law and Order Committee Priority Listing for LOCAP-03-22.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
***signature** of Preparer/CONTACT PERSON*

Approved by: _____
***signature** of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____
***signature** of Branch Chief or Division Director*

Print Name, Title, Branch or Division: _____
***print** name and indicate title or position*

_____
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: Shiprock Justice Center Division/Branch: DIVISION OF PUBLIC SAFETY

Prepared By: Sharon Yellowhair Phone No.: 928-551-3843 Email Address: sharonyellowhair@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA	01/01/24 - 12/31/26	106,753,497.00	100%
	TOTAL:	$106,753,497.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	6		340,000	340,000.00
6500 Contractual Services	6		4,171,458	4,171,458.00
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay	6		102,242,039	102,242,039.00
9500 Matching Funds				0.00
9500 Indirect Cost				0.00
TOTAL		$0.00	106,753,497.00	106,753,497.00

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

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

SUBMITTED BY: Delores Greyeyes, MSW, Ph.D, Director
Program Manager's Printed Name

Delores Greyeyes 11-27-23
Program Manager's Signature and Date

APPROVED BY: Michael Anderson, Division Director
Division Director / Branch Chief's Printed Name

27 NOV 2023
Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: Shiprock Justice Center

PART II. PROGRAM PERFORMANCE CRITERIA:

	1st QTR Goal	2nd QTR Goal	3rd QTR Goal	4th QTR Goal
1. Program Performance Measure: Complete contruction phase document.				
Complete work related to finalizing 100% construction document for construction ready.	1	1		
2. Program Performance Measure:				
Collaboration between Chapter, designer & user to submit necessary documents to other departmen		1	1	
3. Program Performance Measure:				
Develop contracts once fundings are obtain for construction phase.		1	1	
4. Program Performance Measure:				
5. Program Performance Measure:				

PART III. CONCURRENCE/APPROVAL:

Delores Greyeyes, MSW, Ph.D, Director
Program Manager's Printed Name

Delores Greyeyes 11/27/23
Program Manager's Signature and Date

Michael Anderson, Division Director
Division Director/Branch Chief's Printed Name

11/27/23
Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Shiprock Justice Center Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (l 4)
6200	EXTERNAL CONTRACTORS		340,000
	6220 NTUA Electrical	340,000	
	6230 HVAC system		
	6290 Special Equipment / Security		
	6290 TeleCommunications		
6520	CONSULTING		4,171,458
	6530 - Fees / Consulting	4,171,458	
	6540 - Expenses Consulting		
9050	BUILDING		100,892,039
	9052 - Building	100,892,039	
9110	FURNITURE & FIXTURES		1,350,000
	9112 - Furniture	1,350,000	
	9114 - Fixtures		
	TOTAL	106,753,497	106,753,497

THE NAVAJO NATION
PROJECT PROCESS SCHEDULE

PROJECT FORM

PART I. Business Unit No.: New

Project Title: Tse Bit'a'i Justice Center

Project Description: To Construct, Furnish, and Equip.

Check one box: ☐ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☑ Budget Modification

PART II. Project Information

Project: Navajo DPS and Navajo DOC

Planned Start Date: 1/1/24

Planned End Date: 4/20/26

Project Manager: Parsons (Owner's Rep)

PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.

PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.

	FY 2024												FY 2025												FY 2026					
	1st Qtr. (23)			2nd Qtr. (24)			3rd Qtr. (24)			4th Qtr. (24)			1st Qtr. (24)			2nd Qtr. (25)			3rd Qtr. (25)			4th Qtr. (25)			1rd Qtr. (25)			2th Qtr. (26)		
Tse Bit'a'i Justice Center Schedule	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
Construction Document	X	X	X	X																										
Construction Administration				X	X	X	X	X	X	X	X	X	X																	
Construction Phase							X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Substantial Completion																													X	X
Post Construction																													X	X
Certificate of Occupancy																														

PART V. Expected Quarterly Expenditures

	$	$	$	$	$	$	$	$	$
	$10,675,349.70	$10,675,349.70	$10,675,349.70	$10,675,349.70	$10,675,349.70	$10,675,349.70	$10,675,349.70	$10,675,349.70	PROJECT TOTAL $106,753,497.00

FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____

ATTACHMENT TO APPENDIX A

List names and types of subcontractors or subrecipients that will be paid with FRF (if known):

1. Indigenous Design Studios, LLC, - Architect of Record who designed the Shiprock Judicial Public Safety Facility. The architect will provide construction administration if funded.
2. Parson's Project Management Services will be the owners representative in overseeing the construction.
3. Okland/Arviso Construction is the General Contractor selected to construct the facility. This construction company will have subcontractors who will do the foundation work, brick laying, electricians, plumbers and etc.
4. Brown and Associates who will be the third party design and building inspectors.
5. Contract Associates will be the supplier of the Furniture, Fixtures, and Equipment (FF&E).
6. NTUA for any utility connections.
7. Navajo Communication and Utilities for telephone and internet services.
8. Others as needed to complete construction as designed.

TSE BIT'A'I JUSTICE CENTER & MEDICAL EXAMINER FACILITY

100% CONSTRUCTION DOCUMENTS

PROJECT TEAM

ARCHITECT
INDIGENOUS DESIGN STUDIO + ARCHITECTURE, LLC
8008 PENNSYLVANIA CIRCLE NE
ALBUQUERQUE, NM 87110
PH. 505.226.2565
CONTACT: TAMARAH BEGAY

ASSOCIATE ARCHITECT FOR JUSTICE
JCJ ARCHITECTURE
2141 EAST HIGHLAND AVE., SUITE 103
PHOENIX, AZ 85016
PH. 602.957.5060
CONTACT: PETER STEVENS

MECHANICAL / ELECTRICAL / PLUMBING / IT
BRIDGERS & PAXTON CONSULTING ENGINEERS, INC
4600 C MONTGOMERY BLVD. NE
ALBUQUERQUE, NM 87109
PH. 505.883.4111
CONTACT: RICHARD REIF

STRUCTURAL ENGINEER
CHAVEZ-GRIEVES CONSULTING ENGINEERS, INC
4700 LINCOLN RD. NE
ALBUQUERQUE, NM 87109
PH. 505.344.4860
CONTACT: STEVE VASQUEZ

CIVIL ENGINEER
HOZHO ENGINEERING, LLC
2733 E. LAKIN DR. SUITE #2
FLAGSTAFF, AZ 86004
PH. 928.779.9429
CONTACT: ALTON WILLIAMS

LANDSCAPE ARCHITECT
JSR DESIGN STUDIO, PLLC
10000 N. 31ST AVE M SUITE C190-124
PHOENIX, AZ 85051
PH. 480 447.3302
CONTACT: JONATHAN ROBERTSON

FOOD SERVICE / LAUNDRY DESIGN
SYSTEMS DESIGN INTERNATIONAL, INC
5200 DTC PKWY, STE 500
GREENWOOD VILLAGE, CO 80111
PH. 303.771.0034
CONTACT: FRED KUGELER

SECURITY DESIGN
KUBL GROUP
3227 S. TIMBERLINE, SUITE A
FORT COLLINS, CO 80525
PH. 970.818.2588
CONTACT: BLAKE BRETZ

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IA103 FLOOR FURNITURE PLAN - AREA C
IA111 FLOOR FINISH PLAN - AREA A
IA112 FLOOR FINISH PLAN - AREA B
IA113 FLOOR FINISH PLAN - AREA C
IA114 FLOOR TRANSITION DETAILS
IA201 ROOM FINISH SCHEDULE - BLDG A
IB101 FURNITURE PLAN - AREA A
IB102 FURNITURE PLAN - AREA B
IB103 FURNITURE PLAN - AREA B
IB111 FLOOR FINISH PLAN - AREA A
IB112 FLOOR FINISH PLAN - AREA B
IB113 FLOOR FINISH PLAN - AREA B
IB201 ROOM FINISH SCHEDULE - BLDG B
IC101 FLOOR FURNITURE PLAN
IC102 FLOOR FINISH PLAN
IC103 ROOM FINISH SCHEDULE

PLUMBING
FX001 FIRE PROTECTION LEGEND
FXA101 FIRE PROTECTION PLAN - LE AREA A
FXA102 FIRE PROTECTION PLAN - COURTS AREA B
FXA103 FIRE PROTECTION PLAN - PEACEMAKING AREA C
FXB101 FIRE PROTECTION PLAN - CORRECTIONS AREA A
FXB102 FIRE PROTECTION PLAN - CORRECTIONS AREA B
FXB103 FIRE PROTECTION PLAN - LEVEL 2 - AREA B
FXC101 FIRE PROTECTION PLAN - ME (BLDG C)
FX501 FIRE PROTECTION DETAILS
FX601 FIRE PROTECTION DIAGRAM-BLDG A
FX602 FIRE PROTECTION DIAGRAM-BLDG B & BLDG C
P-001 PLUMBING LEGEND
PS101 PLUMBING SITE PLAN
PS600 PLUMBING SITE - PRESSURE PIPING DIAGRAM
PLA101 WASTE & VENT PLAN - LE AREA A
PLA102 WASTE & VENT PLAN - COURTS AREA B
PLA103 WASTE & VENT PLAN - PEACMAKING AREA C
PLA121 PLUMBING ROOF PLAN - OVERALL
PLB001 WASTE & VENT FOUNDATION PLAN - CORRECTIONS
PLB002 WASTE & VENT FOUNDATION PLAN - CORRECTIONS
PLB101 WASTE & VENT PLAN - CORRECTIONS AREA A
PLB102 WASTE & VENT PLAN - CORRECTIONS AREA B
PLB103 WASTE & VENT PLAN - CORRECTIONS AREA B
PLB121 PLUMBING ROOF PLAN - OVERALL
PLC101 WASTE & VENT FLOODWORK PLAN
PPA101 PRESSURE PIPING PLAN - LE AREA A
PPA102 PRESSURE PIPING PLAN - COURTS AREA B
PPA103 PRESSURE PIPING PLAN - PEACEMAKING AREA C
PPB101 PRESSURE PIPING PLAN - CORRECTIONS AREA A
PPB102 PRESSURE PIPING PLAN - CORRECTIONS AREA B
PPB103 PRESSURE PIPING PLAN - CORRECTIONS AREA B
PPC101 PRESSURE PIPING PLAN - ME
P-401 PLUMBING ENLARGED WASTE & VENT - BLDG A
P-402 PLUMBING ENLARGED WASTE & VENT - BLDG B
P-403 PLUMBING ENLARGED PRESSURE PLANS - BLDG A
P-404 PLUMBING ENLARGED PRESSURE PLANS - BLDG B
P-405 PLUMBING ENLARGED PLAN W&V KITLAU - BLDG B - ISO
P-406 PLUMBING ENLARGED PLANS PRESSURE PIPING - BLDG A
P-407 PLUMBING ENLARGED PLANS PRESSURE PIPING - BLDG A
P-408 PLUMBING ENLARGED PLANS PRESSURE PIPING - BLDG B
P-409 PLUMBING ENLARGED PLANS PRESSURE PIPING KITLAU - BLDG B
P-410 PLUMBING ENLARGED PLANS PRESSURE PIPING KITLAU - BLDG B - ISO
P-501 PLUMBING DETAILS
P-502 PLUMBING DETAILS
P-503 PLUMBING DETAILS
P-504 PLUMBING DETAILS
P-505 PLUMBING DETAILS
P-506 PLUMBING DETAILS
P-601 PLUMBING WASTE & VENT DIAGRAM - BLDG B & C
P-602 PLUMBING WASTE & VENT DIAGRAM - BLDG B & C
P-603 PLUMBING PRESSURE PIPING DIAGRAM BLDG A
P-604 PLUMBING PRESSURE PIPING DIAGRAM BLDG A
P-605 PLUMBING NATURAL GAS DIAGRAM-OVERALL
P-701 PLUMBING SPECIFICATIONS
P-702 PLUMBING SCHEDULES
P-703 PLUMBING SCHEDULES
P-704 PLUMBING SCHEDULES

MECHANICAL
M-001 MECHANICAL LEGEND
MS101 MECHANICAL SITE PLAN
MH101 HVAC PLAN - OVERALL
MH121 MECHANICAL ROOF PLAN
MHA100 HVAC PLAN - BLDG A OVERALL
MHA101 HVAC PLAN - AREA A
MHA102 HVAC PLAN - AREA B
MHA103 HVAC PLAN - AREA C
MHA121 MECHANICAL ROOF PLAN - BLDG A OVERALL
MHA122 MECHANICAL ROOF PLAN - AREA A
MHA123 MECHANICAL ROOF PLAN - AREA B
MHA124 MECHANICAL ROOF PLAN - AREA C
MHB100 HVAC PLAN - BLDG B OVERALL
MHB101 HVAC PLAN - AREA A
MHB102 HVAC PLAN - AREA B
MHB103 HVAC PLAN - LEVEL 2 - AREA B
MHB121 MECHANICAL ROOF PLAN - BLDG B OVERALL
MHB122 MECHANICAL ROOF PLAN - AREA A
MHB123 MECHANICAL ROOF PLAN - AREA B
MHC101 HVAC PLAN - BLDG C
MHC121 MECHANICAL ROOF PLAN - BLDG C
MP101 MECHANICAL PIPING PLAN - OVERALL
MPA100 MECHANICAL PIPING PLAN - BLDG A OVERALL
MPA101 MECHANICAL PIPING PLAN - AREA A
MPA102 MECHANICAL PIPING PLAN - AREA B
MPA103 MECHANICAL PIPING PLAN - AREA C
MPB100 MECHANICAL PIPING PLAN - BLDG B OVERALL
MPB101 MECHANICAL PIPING PLAN - AREA A
MPB102 MECHANICAL PIPING PLAN - AREA B
MPB103 MECHANICAL PIPING PLAN - AREA B MEZZANINE
MPC101 MECHANICAL PIPING PLAN
M-401 ENLARGED MECHANICAL PLANS
M-402 ENLARGED MECHANICAL PLANS
M-501 MECHANICAL DETAILS
M-502 MECHANICAL DETAILS
M-503 MECHANICAL DETAILS
M-601 MECHANICAL DIAGRAMS
M-602 MECHANICAL DIAGRAMS
M-701 MECHANICAL SCHEDULES
M-702 MECHANICAL SCHEDULES
M-703 MECHANICAL SCHEDULES
M-704 MECHANICAL SCHEDULES
M001 MECHANICAL CONTROLS LEGEND
M601 MECHANICAL CONTROLS DIAGRAMS
M602 MECHANICAL CONTROLS DIAGRAMS
M603 MECHANICAL CONTROLS DIAGRAMS
M604 MECHANICAL CONTROLS DIAGRAMS
M605 MECHANICAL CONTROLS DIAGRAMS

ELECTRICAL
E-001 ELECTRICAL SYMBOL LEGEND
E-002 ADA MOUNTING DETAIL
ES101 ELECTRICAL SITE PLAN
ELA101 LIGHTING PLAN - LE AREA A
ELA102 LIGHTING PLAN - COURTS AREA B
ELA103 LIGHTING PLAN - PEACEMAKING AREA C
ELB101 LIGHTING PLAN - CORRECTIONS AREA A
ELB102 LIGHTING PLAN - CORRECTIONS AREA B
ELB103 LIGHTING PLAN - CORRECTIONS - AREA B
ELC101 LIGHTING PLAN - ME
EPA101 POWER PLAN - LE AREA A
EPA102 POWER PLAN - COURTS AREA B
EPA103 POWER PLAN - PEACEMAKING AREA C
EPA121 ELECTRICAL ROOF PLAN - OVERALL
EPB101 POWER PLAN - CORRECTIONS AREA A
EPB102 POWER PLAN - CORRECTIONS AREA B
EPB103 POWER PLAN - CORRECTIONS - AREA B
EPB121 CORRECTIONS ROOF PLAN - OVERALL
EPC101 POWER PLAN - ME
EPC121 ELECTRICAL ROOF PLAN - ME
EAA101 RECEPTACLE PLAN - LE AREA A
EAA102 RECEPTACLE PLAN - COURTS AREA B
FAA101 FIRE ALARM PLAN - AREA A
FAA102 FIRE ALARM PLAN - AREA B
FAA103 FIRE ALARM PLAN - AREA C
FAB101 FIRE ALARM PLAN - AREA A
FAB102 FIRE ALARM PLAN - AREA B
FAB103 FIRE ALARM PLAN - LEVEL 2 - AREA B
FAC101 FIRE ALARM PLAN - ME
E-401 ENLARGED KITCHEN POWER PLAN
E-402 ENLARGED ELECTRICAL PLANS
E-403 ENLARGED ELECTRICAL PLANS
E-501 ELECTRICAL DETAILS
E-502 LIGHTNING PROTECTION DETAILS
E-601 ELECTRICAL CALCULATIONS
E-601A ELECTRICAL ONE-LINE DIAGRAM - BLDG A
E-601B ELECTRICAL ONE-LINE DIAGRAM - BLDG B
E-601C ELECTRICAL ONE-LINE DIAGRAM - BLDG C
E-602A GROUNDING DIAGRAM
E-603 FIRE ALARM RISER DIAGRAM
E-701 ELECTRICAL LUMINAIRE SCHEDULE
E-702 ELECTRICAL CONNECTION SCHEDULE
E-703 ELECTRICAL SCHEDULES
E-704 ELECTRICAL PANEL SCHEDULES - BLDG A
E-705 ELECTRICAL PANEL SCHEDULES - BLDG A
E-706 ELECTRICAL PANEL SCHEDULES - BLDG A
E-707 ELECTRICAL PANEL SCHEDULES - BLDG A
E-708 ELECTRICAL PANEL SCHEDULES - BLDG B
E-709 ELECTRICAL PANEL SCHEDULES - BLDG B
E-710 ELECTRICAL PANEL SCHEDULES - BLDG B
E-711 ELECTRICAL PANEL SCHEDULES - BLDG B
E-712 ELECTRICAL PANEL SCHEDULES - BLDG B
E-713 ELECTRICAL PANEL SCHEDULES - ME BLDG C

TECHNOLOGY
T-001 TECHNOLOGY LEGEND
TS101 TECHNOLOGY SITE PLAN - BLDG A OVERALL
T-A101 TECHNOLOGY SYSTEMS PLAN - LE AREA A
T-A102 TECHNOLOGY SYSTEMS PLAN - COURTS AREA B
T-A103 TECHNOLOGY SYSTEMS PLAN - PEACEMAKING AREA C
T-B101 TECHNOLOGY SYSTEMS PLAN - CORRECTIONS AREA A
T-B102 TECHNOLOGY SYSTEMS PLAN - CORRECTIONS AREA B
T-C101 TECHNOLOGY SYSTEMS PLAN - ME
T-401 ENLARGED TECHNOLOGY PLANS
T-402 ENLARGED TECHNOLOGY PLANS
T-403 ENLARGED TECHNOLOGY PLANS
T-404 ENLARGED TECHNOLOGY PLANS
T-405 ENLARGED TECHNOLOGY PLANS
T-506 VAULT DETAILS
T-501 TECHNOLOGY DETAILS
T-502 TECHNOLOGY DETAILS
T-503 TECHNOLOGY DETAILS
T-504 AUDIO-VISUAL DETAILS
T-601 AUDIO-VISUAL DIAGRAMS
T-602 AUDIO-VISUAL DIAGRAMS
T-603 AUDIO-VISUAL DIAGRAMS
T-604 AUDIO-VISUAL DIAGRAMS

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FS1.0 OVERALL FOOD SERVICE EQUIPMENT PLAN
FS1.1 FOOD SERVICE EQUIPMENT PLAN
FS1.2 BUILDING CONDITIONS & VENTILATION PLAN
FS1.3 PLUMBING ROUGH - IN PLAN
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FS2.1 FOODSERVICE GENERAL DETAILS
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FS2.3 FOODSERVICE GENERAL DETAILS
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FS3.1 STANDARD FABRICATION DETAILS
FS3.2 STANDARD FABRICATION DETAILS
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FS3.4 STANDARD FABRICATION DETAILS
FS3.5 STANDARD FABRICATION DETAILS
FS3.6 STANDARD FABRICATION DETAILS
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FS3.8 STANDARD FABRICATION DETAILS
FS3.9 STANDARD FABRICATION DETAILS
FS4.1 CUSTOM FABRICATION DETAILS
FS4.2 CUSTOM FABRICATION DETAILS
FS4.3 CUSTOM FABRICATION DETAILS
FS4.4 CUSTOM FABRICATION DETAILS
FS4.5 CUSTOM FABRICATION DETAILS
FS5.1 EXHAUST HOOD DETAILS
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FS5.3 EXHAUST HOOD DETAILS
FS5.4 EXHAUST HOOD DETAILS
FS5.5 EXHAUST HOOD DETAILS
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LAUNDRY
LE1.0 OVERALL LAUNDRY EQUIPMENT PLAN
LE1.1 LAUNDRY EQUIPMENT PLAN
LE1.2 LAUNDRY BUILDING CONDITIONS & VENTILATION PLAN
LE1.3 LAUNDRY PLUMBING ROUGH - IN PLAN
LE1.4 LAUNDRY ELECTRICAL ROUGH - IN PLAN
LE2.1 LAUNDRY GENERAL DETAILS
LE2.2 LAUNDRY GENERAL DETAILS
LE2.3 LAUNDRY GENERAL DETAILS
LE2.4 LAUNDRY GENERAL DETAILS
LE2.5 LAUNDRY GENERAL DETAILS
LE2.6 LAUNDRY GENERAL DETAILS
LE3.1 WASHER AND TRENCH DETAILS
LE4.1 DRYER AND LINT COLLECTOR DETAILS

SECURITY
SE0.1 SECURITY ELECTRONICS - LEGENDS AND ABBREVIATIONS
SE0.2 SECURITY ELECTRONICS - SCHEDULES
SE101 SECURITY ELECTRONICS - BLDG A OVERALL
SEA101 SECURITY ELECTRONICS - LAW ENFORCEMENT AREA A
SEA102 SECURITY ELECTRONICS - COURTS AREA B
SEA103 SECURITY ELECTRONICS - PEACEMAKING AREA C
SEB101 SECURITY ELECTRONICS - BLDG B OVERALL
SEB102 SECURITY ELECTRONICS - CORRECTIONS AREA A
SEB103 SECURITY ELECTRONICS - CORRECTIONS AREA B
SEB104 SECURITY ELECTRONICS - CORRECTIONS AREA B
SEC101 SECURITY ELECTRONICS - MEDICAL EXAMINER
SES101 SECURITY ELECTRONICS - SITE PLAN
SE6.1 SECURITY ELECTRONICS - LARGE SCALE FLOOR PLANS
SE6.2 SECURITY ELECTRONICS - LARGE SCALE FLOOR PLANS
SE7.1 SECURITY ELECTRONICS - ELEVATION VIEWS
SE7.2 SECURITY ELECTRONICS - ELEVATION VIEWS
SE7.3 SECURITY ELECTRONICS - ELEVATION VIEWS
SE8.1 SECURITY ELECTRONICS - DIAGRAMS
SE8.2 SECURITY ELECTRONICS - DIAGRAMS
SE8.3 SECURITY ELECTRONICS - DIAGRAMS
SE8.4 SECURITY ELECTRONICS - DIAGRAMS
SE8.5 SECURITY ELECTRONICS - DIAGRAMS / SYSTEM NARRATIVES
SE8.6 SECURITY ELECTRONICS - SYSTEM NARRATIVES
SE8.7 SECURITY ELECTRONICS - SYSTEM NARRATIVES
SE8.8 SECURITY ELECTRONICS - SYSTEM NARRATIVES
SE9.1 SECURITY ELECTRONICS - DETAILS
SE9.2 SECURITY ELECTRONICS - DETAILS
SE9.3 SECURITY ELECTRONICS - DETAILS

TSE BIT'A'I JUSTICE CENTER
SHIPROCK, SAN JUAN COUNTY, NEW MEXICO
100% CONSTRUCTION DOCUMENTS
OWNER: NAVAJO NATION

INDIGENOUS DESIGN STUDIO - ARCHITECTURE, LLC
8008 Pennsylvania Cir. NE
Albuquerque, NM 87110
Tel 505.226.2565
Fax 505.226.2565

JCJARCHITECTURE
ASSOCIATE ARCHITECT OFFICE
2141 EAST HIGHLAND AVENUE, SUITE 103
PHOENIX, ARIZONA 85016

STATE OF NEW MEXICO
TAMARAH B. BEGAY
NO. 5192
09/30/2023
REGISTERED ARCHITECT

ARCHIT

MARK	DATE	DESCRIPTION
	03/10/2022	25% SCHEMATIC DESIGN SUB
	04/08/2022	40% DESIGN DEVELOPMENT
	10/10/2022	99% CONSTRUCTION DOCS S

PROJECT NUMBER: 2018
DRAWING FILE:
DRAWN BY: A
CHECKED BY: CH

SHEET TITLE

COVER SHEET

SHEET NUMBER:

Tsé Bit' á'i Justice Center

Proposed: 97,759 sf

November 17, 2023

Based on Arviso/Okland 9-28-2023 100% Cost Estimate

Preliminary Budget Summary with Allocated Owner Budgets

Preliminary Budget (Construction Start Date October 1, 2024)

Corrections Project Budget		Factor:	Unit:	Factor:	Unit:
$	54,457,817	50,113	sq. ft.	$ 1,087	/sq. ft.
Law Enforcement Project Budget		Factor:	Unit:	Factor:	Unit:
$	14,953,495	22,030	sq. ft.	$ 679	/sq. ft.
Courts Project Budget		Factor:	Unit:	Factor:	Unit:
$	15,033,157	22,149	sq. ft.	$ 679	/sq. ft.
Medical Examiner Project Budget		Factor:	Unit:	Factor:	Unit:
$	3,946,566	3,467	sq. ft.	$ 1,138	/sq. ft.
Site Project Budget		Factor:	Unit:	Factor:	Unit:
$	18,362,462	819,286	sq. ft.	$ 22	/sq. ft.
$	106,753,497	TOTAL PROJECT FUNDS REQUESTED			

PARSONS

Tsé Bit' á'i Justice Center

Corrections

November 17, 2023 Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date October 1, 2024)

Corrections Facility Construction Budget		Factor:	Unit:	Factor:	Unit:
	$36,116,156 Direct Construction Cost	50,113	sq. ft.	$ 721	/sq. ft.
$	2,548,809 CMAR Contingency				
$	100,000 Design Contingency (At 100% CD)				
$	2,490,861 General Conditions				
$	1,275,579 General Requirements				
$	2,195,147 CMAR Fee				
$	1,626,141 Bonds/Insurance/Subguard				
$	2,885,445 Navajo Nation Tax				
$	308,766 Site Cost Allocation				
$	1,529,286 Construction Cost Escalation Through **October 1, 2024**				
$	**51,076,190** Total Construction Budget			$ 1,019	/sq. ft.

Corrections Owner Design/Consultant Budgets (Allocation of Total Budget)	
$	1,122,964 Architectural & Engineering Services
$	661,031 Project Management Services
$	24,631 CMAR Pre-Construction Services
$	90,524 Code Plan Review & Inspections
$	123,785 Materials and Special Inspections
$	23,131 Tele-Communications
$	600,000 FF&E (including Design)
$	41,636 Security, HVAC, Plumbing & Electrical Systems Commissioning
$	92,524 NTUA Utility Fees
$	601,403 Owner's Contingency
$	**3,381,627** Total Corrections Owner Budget
$	**54,457,817 TOTAL PROJECT COST**

PARSONS

Tsé Bit' á'i Justice Center

Law Enforcement

November 17, 2023 Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date October 1, 2024)

Police Facility Construction Budget			Factor:	Unit:	Factor:	Unit:
$	9,576,427	Direct Construction Cost	22,030	sq. ft.	$ 435	/sq. ft.
$	671,271	CMAR Contingency				
$	12,466	Design Contingency				
$	656,009	General Conditions				
$	335,945	General Requirements				
$	578,128	CMAR Fee				
$	428,271	Bonds/Insurance/Subguard				
$	759,929	Navajo Nation Tax				
$	16,673	Site Cost Allocation				
$	402,762	Construction Cost Escalation Through **October 1, 2024**				
$	**13,437,882**	Total Construction Budget			$ 610	/sq. ft.

Police Owner Design/Consultant Budgets (Allocation of Total Budget)		
$	513,704	Architectural & Engineering Services
$	302,391	Project Management Services
$	11,268	CMAR Pre-Construction Services
$	41,070	Code Plan Review & Inspections
$	60,105	Materials and Special Inspections
$	11,268	Tele-Communications
$	250,000	FF&E (including Design)
$	20,282	Security, HVAC, Plumbing & Electrical Systems Commissioning
$	45,070	NTUA Utility Fees
$	260,455	Owner's Contingency
$	**1,515,613**	Total Police Owner Budget
$	**14,953,495**	**TOTAL PROJECT COST**

PARSONS

Tsé Bit' á'i Justice Center

Courts

November 17, 2023 Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date October 1, 2024)

Courts Facility Construction Budget		Factor:	Unit:	Factor:	Unit:
$ 9,628,157	Direct Construction Cost	22,149	sq. ft.	$ 435	/sq. ft.
$ 674,897	CMAR Contingency				
$ 12,534	Design Contingency				
$ 659,553	General Conditions				
$ 337,759	General Requirements				
$ 581,251	CMAR Fee				
$ 430,584	Bonds/Insurance/Subguard				
$ 764,034	Navajo Nation Tax				
$ 16,764	Site Cost Allocation				
$ 404,938	Construction Cost Escalation Through **October 1, 2024**				
$ 13,510,471	Total Construction Budget			$ 610	/sq. ft.

Courts Owner Design/Consultant Budgets (Allocation of Total Budget)	
$ 516,479	Architectural & Engineering Services
$ 304,025	Project Management Services
$ 11,328	CMAR Pre-Construction Services
$ 41,313	Code Plan Review & Inspections
$ 60,470	Materials and Special Inspections
$ 11,328	Tele-Communications
$ 250,000	FF&E (including Design)
$ 20,391	Security, HVAC, Plumbing & Electrical Systems Commissioning
$ 45,313	NTUA Utility Fees
$ 262,038	Owner's Contingency
$ 1,522,687	Total Courts Owner Budget
$ 15,033,157	**TOTAL PROJECT COST**

PARSONS

Tsé Bit' á'i Justice Center

Site Work

November 17, 2023 Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date October 1, 2024)

Site Construction Budget			Factor:	Unit:	Factor:	Unit:
$	4,164,056	Direct Construction Cost	819,286	sq. ft.	$ 5	/sq. ft.
$	902,852	CMAR Contingency				
$	20,000	Design Contingency				
$	882,325	General Conditions				
$	451,842	General Requirements				
$	777,576	CMAR Fee				
$	576,019	Bonds/Insurance/Subguard				
$	1,022,096	Navajo Nation Tax				
$	8,738,556	Site Cost Allocation				
$	541,711	Construction Cost Escalation Through **October 1, 2024**				
$	**18,077,033**	Total Construction Budget			$ 22	/sq. ft.

Site Owner Design/Consultant Budgets (Allocation of Total Budget)

$	45,592	Architectural & Engineering Services
$	26,837	Project Management Services
$	1,000	CMAR Pre-Construction Services
$	20,000	Code Plan Review & Inspections
$	45,000	Materials and Special Inspections
$	2,500	Tele-Communications
$	-	FF&E (including Design)
$	4,500	Security, HVAC, Plumbing & Electrical Systems Commissioning
$	10,000	NTUA Utility Fees
$	130,000	Owner's Contingency
$	**285,429**	Total Site Owner Budget
$	**18,362,462**	**TOTAL PROJECT COST**

PARSONS

Tsé Bit' á'i Justice Center

Medical Examiner

November 17, 2023 Based on Current CMAR & A/E Proposals

Preliminary Budget (Construction Start Date October 1, 2024)

ME Facility Construction Budget			Factor:	Unit:	Factor:	Unit:
$	2,477,755	Direct Construction Cost	3,467	sq. ft.	$ 715	/sq. ft.
$	173,523	CMAR Contingency				
$	20,000	Estimating Contingency				
$	169,578	General Conditions				
$	86,842	General Requirements				
$	149,446	CMAR Fee				
$	110,707	Bonds/Insurance/Subguard				
$	196,441	Navajo Nation Tax				
$	2,058	Site Cost Allocation				
$	104,114	Construction Cost Escalation Through **October 1, 2024**				
$	**3,490,464**	Total Construction Budget			$ 1,007	/sq. ft.

ME Facility Owner Design/Consultant Budgets (Allocation of Total Budget)		
$	80,845	Architectural & Engineering Services
$	47,589	Project Management Services
$	1,773	CMAR Pre-Construction Services
$	7,093	Code Plan Review & Inspections
$	10,639	Materials and Special Inspections
$	1,773	Tele-Communications
$	250,000	FF&E (including Design)
$	3,192	Security, HVAC, Plumbing & Electrical Systems Commissioning
$	7,093	NTUA Utility Fees
$	46,104	Owner's Contingency
$	**456,102**	Total ME Facility Owner Budget
$	**3,946,566**	**TOTAL PROJECT COST**

PARSONS

Tsé Bit' á'i Justice Center

Budget Calculations for the 97,759 sq. ft. Complex

November 17, 2023 Based on Current and Forecast Fees and A/O 9-28-2023 100% Cost Estimate

Includes $3.15M Existing NN Funds but not $3.12M Authorized New Mexico Funds Credit

Allocation Calculations

Corrections	Police	Courts	ME	Site	Total	
50,113	22,030	22,149	3,467	819,286	97,759	Sq. Ft.
0.512618	0.225350	0.226567	0.035465	0.000000	1.000000	Allocation Factor
$ 1,122,964	$ 513,704	$ 516,479	$ 80,845	$ 45,592	$ 2,279,584	Construction Administration (Per 3/25/19 Proposal)
$ 661,031	$ 302,391	$ 304,025	$ 47,589	$ 26,837	$ 1,341,874	Project Management Services (forecast)
$ 24,631	$ 11,268	$ 11,328	$ 1,773	$ 1,000	$ 50,000	CMAR Preconstruction Services
$ 90,524	$ 41,070	$ 41,313	$ 7,093	$ 20,000	$ 200,000	Code Plan Review & Inspections
$ 123,785	$ 60,105	$ 60,470	$ 10,639	$ 45,000	$ 300,000	Materials and Special Inspections
$ 23,131	$ 11,268	$ 11,328	$ 1,773	$ 2,500	$ 50,000	Tele-Communications
$ 600,000	$ 250,000	$ 250,000	$ 250,000	$ -	$ 1,350,000	FF&E Including Design (By Facility)
$ 41,636	$ 20,282	$ 20,391	$ 3,192	$ 4,500	$ 90,000	Security, HVAC, Plumbing & Electrical Systems Commissioning
$ 92,524	$ 45,070	$ 45,313	$ 7,093	$ 10,000	$ 200,000	NTUA Utility Fees
$ 601,403	$ 260,455	$ 262,038	$ 46,104	$ 130,000	$ 1,300,000	Owner's Contingency (~1.3% of Cost of Construction)
$ 3,381,627	$ 1,515,613	$ 1,522,687	$ 456,102	$ 285,429	$ 7,161,458	Totals
$ -	$ -	$ -	$ -			State of New Mexico Funds ($3.1185M Authorized 4/5/19)
$ -	$ -	$ -	$ -			Current Navajo Nation Public Safety Matching Funds

= Costs per IDS+A Proposal = Costs per Parsons Forecast = Costs per Arviso/Okland Proposal = Budget per Individual Buildings

= Current Encumbered/Authorized Funds ($3,118,500 New Mexico Grant Funds will be reimbursed to the Navajo Nation for submitted invoices)

Cost of Construction (Includes Site Cost & Escalation Allocations):

$ 51,076,190	$ 13,437,882	$ 13,510,471	$ 3,490,464	$ 18,077,033	$ 99,592,039	- Total Per A/O 9-28-2023 100% Cost Estimate

Allocation of Site Costs:

$308,766	$16,673	$16,764	$2,058	$8,738,556	$9,082,817	- Total Per A/O 9-28-2023 100% Cost Estimate

Allocation of Construction Cost Escalation through October 1, 2024

$1,529,286	$402,762	$404,938	$104,114	$541,711	$2,982,811	- Total Per A/O 9-28-2023 100% Cost Estimate

PARSONS

a. Describe the Program (s) and/or Project(s) to be funded, including how funds will be used, for what purposes, the location(s) to be served, and what Covid related needs will be addressed.

The ARPA funds will be used to construct the Tse Bit'a'i (Shiprock) Justice Center; the Navajo Police Building, the Courts, Prosecutors Offices, Peace Making, Probation and Parole services, the Public Defenders Offices and the Correctional Facility. This Justice Center is necessary to support principal functions of the Navajo Division of Public Safety (NDPS), the Navajo Nation Judicial Branch, Office of the Prosecutor and the Public Defender's Office. This facility will be located in Shiprock, New Mexico across from the Northern Medical Center.

The Navajo Nation Police, Investigations and the Corrections Officers worked to Control the spread of infectious diseases such as Covid-19. During the pandemic, it was a difficult task to screen and quarantine in Shiprock. The existing facility was only used to hold offenders until transport could be arranged. The old, deteriorated building systems could not prevent the transmission of the virus between inmates and staff. Prior to the pandemic, it was determined that a new facility is needed to protect all who are detained, officers who attend to the inmates and other staff who work in the facility.

The BIA closed the facility to long term detention but, for a time, the facility was used to book and hold inmates until transport which created another level of contamination. Corrections officers were exposed in the facility and during transport. During Covid, cross contamination occurred from shared cells, shared transportation, daily movement of staff and introduction of new detainees helped spread the virus.

Screening of new offenders is helpful, but there are asymptomatic or pre-symptomatic and screening is not helpful in those cases. As detention is a congregate setting, it is important to isolate infected offenders as quickly as possible. The additional step of physical distance, movement restrictions, face coverings, etc. is necessary as is intensive cleaning and disinfecting. The newly designed replacement facility takes these things into account. There are multiple cells where isolation can occur. The facility is designed with a zoned HVAC system to have multiple air changes and filtration. It is large facility, but Covid continues, and the facility must be able to accommodate the strategies to keep offenders and staff safe.

Attached to this document is also a summary from the project manager assisting on the Judicial Public Safety facilities in the detailed description of the areas that could prevent the spread of the Covid virus as new Judicial Public Safety facilities replace the dilapidated facilities that lack up equipment and systems that provide air quality for public health and safety. This facility is needed as a response to Covid-19 and to continue to provide the essential service corrections provides to the community.

b. Explain how the Program or Project will benefit the Navajo Nation, Navajo community, or the Navajo People.

The objective of this document is to overcome barriers to obtaining the funds needed to ensure that construction of the Tse Bit'a'i Justice Center funded and constructed as quickly as possible.

Shiprock has been without a Public Safety facility since the closure of the old facility on March 20, 2020. All new arrestees and sentenced individuals are being transported either the Kayenta Corrections facility, 101 miles one way and to the Crownpoint Correctional facility, 116 miles one way.

The Shiprock Police District and the Judicial District serves 17 chapters providing police and investigation services, the courts provides family court, peacemaking program, and the Office of the Probation and Parole Services. The Shiprock Criminal investigations lack an autopsy and lab facility and with construction of a new Judicial Public Safety Center will include these capacities. The Adult Detention facility was closed in March 2020, due to structural and environmental issues

This is an urgent request for funds to support the construction of the Tse Bit'a'i Justice Center. Included in this Justice Center, the Navajo Police Building, the Courts, Prosecutors Offices, Peace Making, Probation and Parole services and the Public Defenders Offices. This Justice Center is necessary to support principal functions of the Navajo Division of Public Safety (NDPS), the Navajo Nation Judicial Branch, Office of the Prosecutor and the Public Defenders Office.

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. 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:

- Longer jail sentences authorized under the Tribal Law and Order Act (TLOA)[1]
- Re-instatement of a wide range of criminal offense punishable by imprisonment at the discretion of a judge under Navajo Nation Criminal Code Title 17 that were not so indicated in the preceding version of this code.
- 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 2013[2]

Judgments that would call for sentences requiring longer periods of incarceration in accordance with TLOA and Title 17 are not possible because of 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 does imprisonment. Additionally, 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.

On the Navajo Nation individuals awaiting trial, sentencing, or both are detained in the same facility that is used to incarcerate people for sentences that are a year or less. Hence, there is no distinction between the Navajo Nation detention and correction facilities, as the same facility is utilized for both purposes. 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.
- 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.

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 or sufficiently imprison individual found guilty undermines law enforcement initiatives to discourage illegal actions and fosters an environment that perpetuates crime and repeat offenders. Consequently, crime of all types is rampant on the Navajo Nation, and repeat offenders are common

The purpose of this document is to make certain that Navajo Nation decision-makers fully understand: (1) that the Tse Bit'a'i Justice Center is critical to public safety on the Navajo Nation and (2) the urgency for project-specific funds needed to construct this facility.

c. Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2026:

The project timeline is attached with anticipate expenditure plan from start to finish. The anticipated challenges lies with not having enough funds due to increased cost in construction, cost of materials, and the lead time needed to order steel and other construction material to meet the deadline for expenditure of the ARPA funds. This Tse Bit'a'i Justice Center is construction shovel ready and obviously the Judicial Public Safety team will work diligently to construct the justice center by December 31, 20

PARSONS

1050 West Washington Street | Suite 114 | Tempe AZ 85281-1492
Cell: 480.489.1319 | www.parsons.com

November 2, 2023

Dr. Delores Greyeyes, Director
Navajo Department of Corrections
PO Box 1949
Window Rock AZ 86515

Subject: ARPA Eligibility Recommendations

Ms. Greyeyes:

Per your request, Parsons has reviewed various applications for the use of the American Rescue Plan Act funding eligibility for the Navajo Nation Department of Corrections and facilities related to the application of possible funding opportunity. The following narrative describes these recommendations:

- Heating/Ventilation/Air Conditioning (HVAC) systems that provide air quality needs for public health safety. And keep air flow at safe operating conditions for overall public health. HVAC systems are designed to improve airflow and assist in providing air quality safe environments.
- Water site infrastructure and access to water areas such Kitchens, Restrooms, Janitors Closets, Showers, Drinking Fountains, wash stations, etc. that will provide clean and safe water usage throughout the site and buildings for public, staff and detainees which would offer a safe healthy atmosphere.
- Sewer site infrastructure and access to drain areas such as Kitchens, Restrooms, Janitors Closets, Showers, to provide clean and safe areas for water to be removed to keep clean and safe health conditions for the public, staff and detainees.
- Training and conference rooms for public and staff use to assist in health and safety outreach and train prevention of health-related topics.
    - Public Safety (Police Department) has conference/training rooms for gun and violence training safety which assist the public.
    - Courts and related departments have rooms for training and educational support for a variety of public outreach programs.
    - Detentions has conference rooms for training and educational support for public, staff and detainees.
- Behavioral Health initiatives is important to detention facilities on the Navajo Reservation to assist persons restorative mental health. Some trainings are:
    - Substance Abuse health training
    - Mental health services due to increase in stress caused by pandemic.
- Medical Examiners Buildings which have health related items for keeping public health safety.
- Training and conference spaces for outreach for the public community and staff.
- Broadband infrastructure for work technology and remote work opportunities
- Case management software, which allow remote access to files to keep staff safe.
- Infrastructure for broadband, information technology and software.
- Campus facility water tank.
- EOC (Emergency Operations Center) for DPS and other user groups
- Security improvements such as security cameras, technology for low volt special systems and broadband to the facility for public and staff use.
- Health incident rooms/ First Aid rooms for detainees and staff.
- Parking lots to support first responders, rescue personnel, including public and staff.
- Emergency Management Service areas.
- Adding fenced areas for public safety.
- Detention rooms areas to keep inmates and detainees safe during health outbreaks or from Covid conditions including medical isolation cells for health safety of detainee and staff. Medical screening areas for health safety. Shower/locker facilities for health safety, laundry facilities, fitness areas for staff.

- Detention room/holding areas with sinks/toilets for detainees to ensure healthy conditions in each holding cell area.
- Equipment such as protective medical equipment for law enforcement and corrections officers, including addressing medical needs of detainees in the detention center.
- Medical suite within each Detention facilities to offer medical services to detainees, staff and others as needed.
- Technology based virtual visitation rooms for public and legal counsel to interact with detainees such as video arraignment and virtual supervision services.
- Technology based systems through each building such as the Detention control rooms, broadband server rooms with IT racks/software throughout the buildings.
- Wireless technology-based broadband in all buildings to assist public, officers and others with communication and outreach.
- Navajo Department of Corrections loss of revenue resulting in reduced services during pandemic resulting from a loss of revenue to the Navajo Nation.
- Loss of revenue for staff, equipment, etc. due to the negative effects the Covid pandemic caused on the economic activity on the Navajo Nation.
- Loss of services to the public due to not having infrastructure built for public assistance such as police department, courts, peacemaking, medical examiners building, corrections facility, etc.
- Probation office areas in public spaces to talk with legal professionals for aid/concern after release from incarceration, impacted from pandemic effect.
- Specialized Medical and Mental Health support from Peace Keeping and other Corrections programs to enhance healthy well-being of living especially during the Covid pandemic and long-term trauma suffered as a result.
- Possible outreach for job training at conference rooms.
- Court back log of cases need for additional courts and overload due to the pandemic effect including Case management, Case disposition, court space and legal areas required for these services.
- Crisis Intervention spaces for Law Enforcement Training (CIT) at training areas to assist public, staff and officers.
- Criminal Investigation support for victims of violent crimes because of pandemic effect of revenue loss, family loss, and overall mental health crisis of the negative impacts caused by Covid-19 on the reservation.
- Operation and Construction for a Community Public Safety facility will provide support space for medical and mental health, training facilities, cleaning and sanitizing storage areas, utility vehicle areas for DPS, DOC, Courts, Medical Examiner Building, support space for substance abuse programs, distribution center for goods if needed, multi-purpose spaces, back-up generators, etc.

Please review the information above to support ARPA funding consideration for these needed Public Safety Facilities.

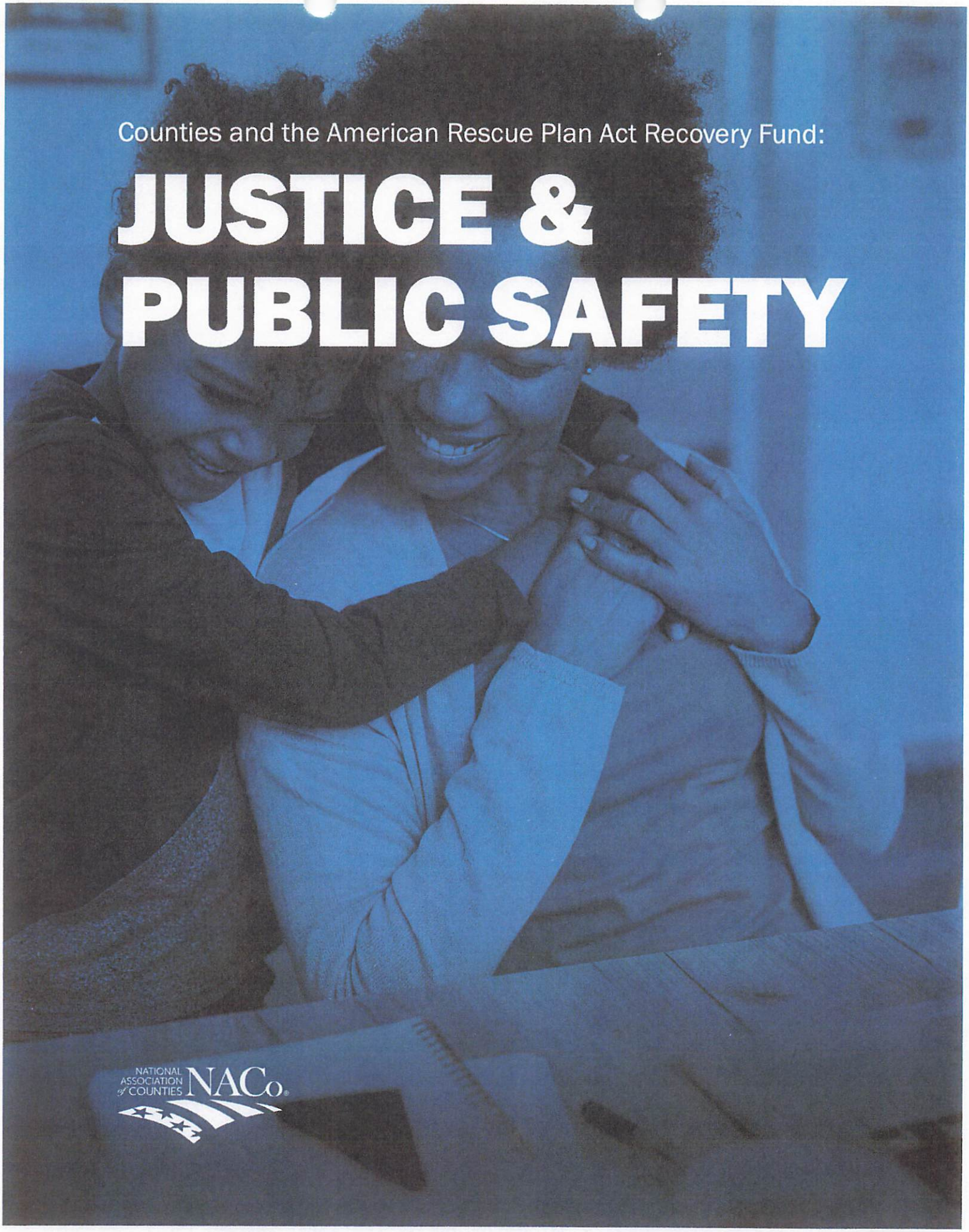
Respectfully,

Darryl Sam
Project Manager

Attachments: National Association of Counties American Result Plan Recover Act information sheet

Counties and the American Rescue Plan Act Recovery Fund:

JUSTICE & PUBLIC SAFETY



NATIONAL ASSOCIATION of COUNTIES NACo

THE RECOVERY FUND AND JUSTICE & PUBLIC SAFETY:

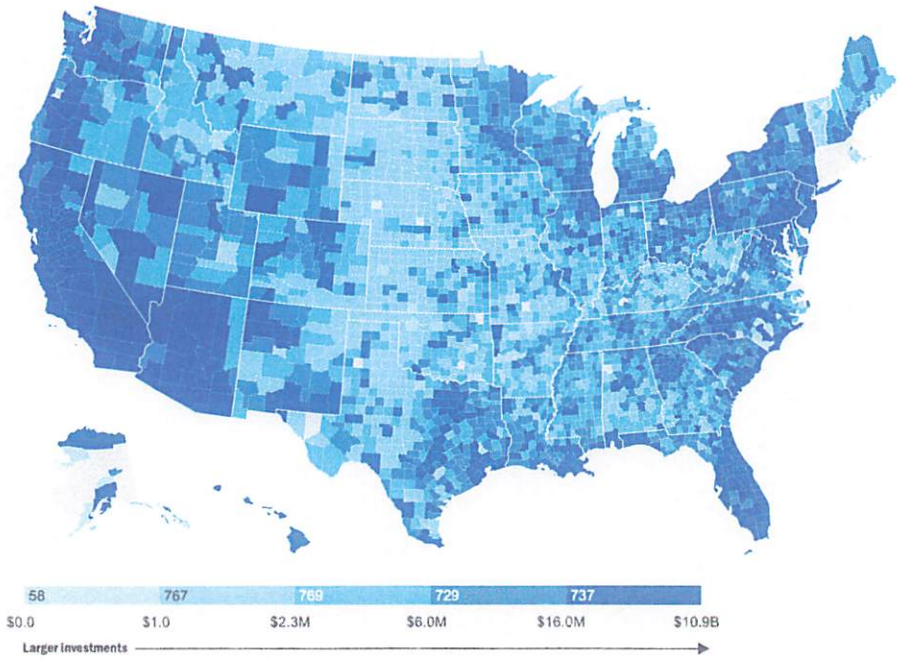
The Coronavirus State and Local Fiscal Recovery Fund (Recovery Fund), part of the American Rescue Plan Act (ARPA), which NACo helped to develop and strongly advocated to pass, allocates $65.1 billion. **These funds provide direct, flexible aid for every county, parish and borough in America.** Counties are on the front lines in delivering this aid to residents and are a driving force connecting communities and strengthening the economy.

As directed by the ARPA and the U.S. Department of Treasury, counties can invest Recovery Funds into a broad range of programs, services and projects under five categories to: support the public health response; address negative economic impacts caused by COVID-19; replace lost revenue; provide premium pay to essential workers; and invest in water, sewer and broadband infrastructure.

Since the enactment of the ARPA, America's counties have been working hard to develop Recovery Fund implementation plans that will help spur an equitable economic recovery across the nation. As sound financial stewards, **counties are investing these critical Recovery Funds to ensure the health and well-being of our nation's residents and the economic vitality of our local communities.** Many counties are in the preliminary stages of development and implementation of Recovery Fund Plans. This report highlights county investments to improve public safety, enhance support services in county jails and strengthen justice system infrastructure to increase efficiency.

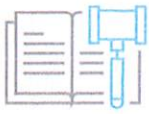
COUNTIES INVEST BILLIONS IN JUSTICE & PUBLIC SAFETY

Across the nation, counties invest $107 billion in justice and public safety efforts each year. In total, counties support **91 percent** of all local jails.



Source: NACo Analysis of U.S. Census Bureau - 2017 Census of Individual Governments: Finance

COUNTIES PLAN TO INVEST RECOVERY FUNDS TO:



ADDRESS THE INCREASE IN COURT CASE BACKLOGS

IMPLEMENT GUN VIOLENCE PREVENTION PROGRAMS

STRENGTHEN PUBLIC SAFETY INFRASTRUCTURE AND OPERATIONS

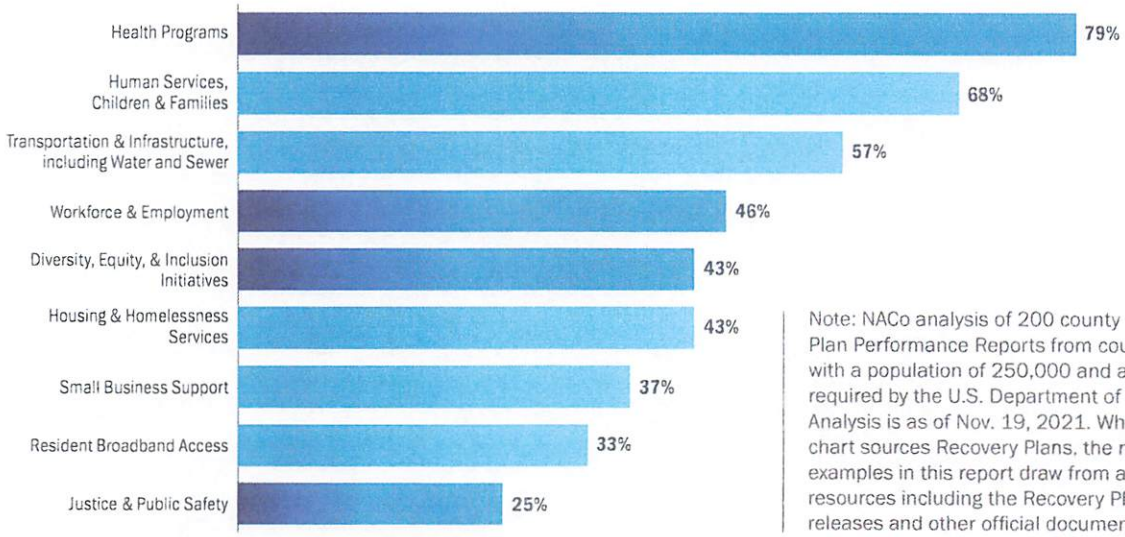
INCREASE MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES IN COUNTY JAILS

PROVIDE WRAPAROUND SUPPORTS FOR JUSTICE-INVOLVED INDIVIDUALS

HIRE PUBLIC SAFETY PERSONNEL SPECIFICALLY TRAINED IN CRISIS INTERVENTION

COUNTIES ARE SUPPORTING JUSTICE & PUBLIC SAFETY OPERATIONS THROUGH KEY INVESTMENTS

How are counties investing the funds? NACo analysis of 200 county ARPA Recovery Fund plans reveals county-designed investments in the community across key areas of need. These local priorities are found within county plans at the rate displayed in the chart, **e.g. twenty-five percent of county plans include investments in justice and public safety.** The darker bars are the investment categories adjacent to justice and public safety that support the continuation and expansion of services in counties. The examples in this report further illustrate the allocations to support justice and public safety on the local level.



Note: NACo analysis of 200 county Recovery Plan Performance Reports from counties with a population of 250,000 and above, as required by the U.S. Department of Treasury. Analysis is as of Nov. 19, 2021. While the bar chart sources Recovery Plans, the narrative examples in this report draw from a variety of resources including the Recovery Plans, press releases and other official documents

COLLIN COUNTY, TEXAS

Collin County is supporting public health measures in county jails by **constructing a specialized medical and mental heath infirmary at the Collin County Adult Detention Center.** The $134 million allocation of Recovery Funds will add approximately 450 beds and help the county better care for inmates while bolstering the county's COVID-19 protection and mitigation response.

DISTRICT OF COLUMBIA

The District of Columbia is assisting returning residents by **hiring additional peer navigators to help formerly incarcerated individuals with services such as job training and housing placement.** An additional $1.1 million in Recovery Funds is allocated for the Building Blocks DC Case Management System, which focuses on reducing gun violence, in addition to $1.7 million for increased capacity at the alternative 911 response call center. These comprehensive investments aim to holistically address community safety during the ongoing COVID-19 crisis.

FULTON COUNTY, GA.

Fulton County is tackling the court case backlog caused by the pandemic with a $75 million investment of Recovery Funds. The funding will support the staffing, expansion and improvements to the current system including **20 additional courtrooms, extended hours, additional satellite courtroom locations, enhanced case management and the implementation of real-time case dispositions.**

GLOUCESTER COUNTY, N.J.

Gloucester County is bolstering public safety by **implementing Crisis Intervention Training (CIT) for law enforcement**. The county is also investing in CIT training for 911 dispatchers to increase the probability that a specifically trained CIT officer is dispatched to de-escalate a mental health crisis. These investments aim to increase the probability of positive outcomes in the community and support the county in its recovery efforts.

HENNEPIN COUNTY, MINN.

Hennepin County is addressing the increase in gun violence during the pandemic through a $5 million allocation for a gun violence prevention program. The program will support "on the street" community providers, **implement trauma-focused services and address the root causes of violence.** An additional $990,000 is also allocated to address the COVID-19 related court backlog.

LOS ANGELES COUNTY, CALIF.

Los Angeles County is assisting residents by utilizing Recovery Funds to expand the system of care and reduce reliance on incarceration, support justice-focused community organizations, create jobs for justice-involved individuals and address trauma and violence in communities. The county is also setting aside $47.1 million for the **Care First, Jails Last program, which supports community-based diversion efforts and jail alternatives.** These efforts specifically target a population disproportionately affected by the public health crisis and economic downturn.

INGHAM COUNTY, MICH.

Ingham County is strengthening community safety during the pandemic through an investment of Recovery funds in **advanced peace initiatives that aim to reduce gun violence.** The program will help fund an initiative that includes non-police, trauma-informed social worker support, mediation services and de-escalation support.

ORANGE COUNTY, FLA.

Orange County is supporting first responders by **installing a new Public Safety Radio Communications Tower** in a part of the county that is experiencing rapid growth during the pandemic. The $1.5 million investment will provide critical support and coordination for all public safety agencies and county departments as they respond to the increased need.

PRINCE GEORGE'S COUNTY, MD.

Prince George's County will help vulnerable populations through a $3 million investment in gun violence prevention. The county aims to **reduce shootings and homicides in underserved areas within the county,** otherwise known as Qualified Census Tracts (QCTs). Given the increased incidences of gun violence during the pandemic, the county hopes to heighten public safety with this key support.

ROCKINGHAM COUNTY, N.H.

Rockingham County is increasing public safety operations capacity by alleviating crowded working conditions at the courthouse and improving HVAC systems, with the support of $25 million from the Recovery Fund. The county is also setting aside $8 million to **construct and operate a Community Corrections facility which will provide a 90-day mental health and substance abuse services program.**

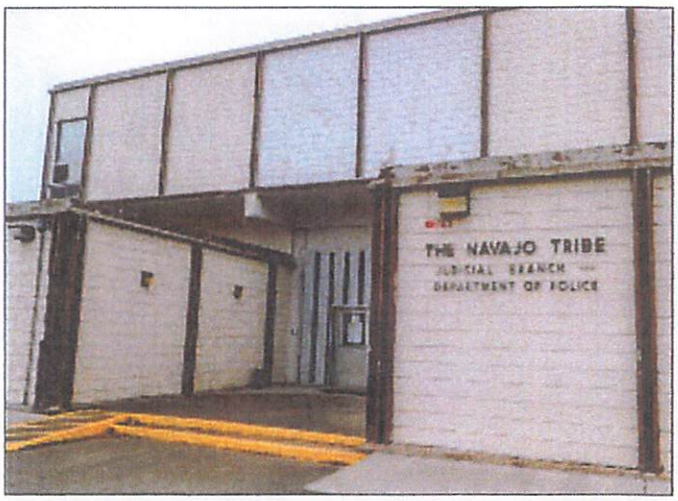
SEDGWICK COUNTY, KAN.

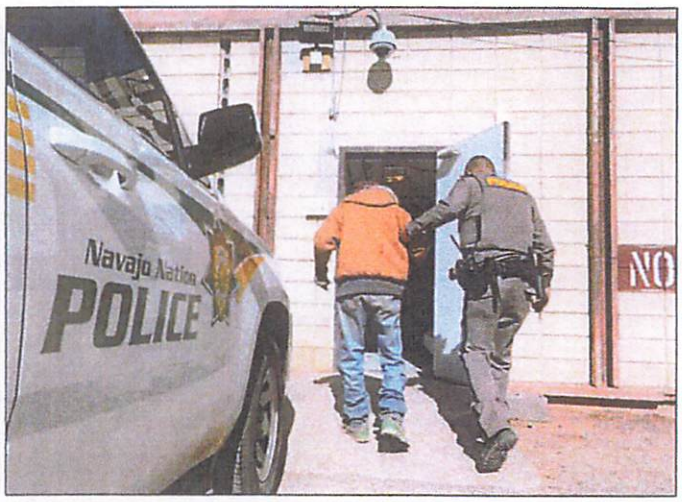
Sedgwick County is tackling public safety and court backlogs with a $1.5 million allocation of Recovery Funds. The funding will provide additional staff, office equipment, software and space for additional courtrooms. The sheriff's department is also requesting a **crisis counselor to provide mental health services to its staff due to the increase in stress caused by the pandemic.**

ST. CHARLES COUNTY, MO.

St. Charles County is utilizing $57.25 million in Recovery Funds for a correctional project to **expand mental health and substance abuse services and improve detainee living conditions in county jails.** The project will support an additional 172 incarcerated individuals and address the increase in pretrial individuals with mental illness and substance use disorders. The county aims to use this Recovery Fund allocation to address the negative impact of COVID-19 on the incarcerated population and promote healthier living and working conditions for everyone involved in the justice system.

NAVAJO NATION PUBLIC SAFETY AND JUDICIAL COMPLEX PROJECTS FUNDING NEEDS FOR CONSTRUCTION





LAW AND ORDER COMMITTEE 24TH NAVAJO NATION COUNCIL

CONTACT:
Office of the Speaker
24TH NAVAJO NATION COUNCIL
Phone: 928-871-7160
Fax: 928-871-7255
P.O. Box 3390
Window Rock, AZ 86515
navajonationcouncil.org

24TH NAVAJO NATION COUNCIL
OFFICE OF THE SPEAKER

HONORABLE SETH DAMON
Speaker, 24th Navajo Nation Council

February 17, 2020

The Honorable Tara Sweeney
Assistant Secretary – Indian Affairs
U.S. Department of Interior
1849 C Street N.W.
MS-4660-MIB
Washington, DC 20240

Re: Window Rock and Shiprock Public Safety Facility Condition Assessments

Dear Assistant Secretary Sweeney:

On behalf of the 24th Navajo Nation Council and the Law and Order Committee ("LOC") this letter is in response to the ongoing request to the Bureau of Indian Affairs ("BIA") the Office of Justice Services ("OJS") to conduct and complete facility condition assessments for the Window Rock and Shiprock Public Safety facilities on the Navajo Nation.

Over the last year multiple requests were sent to BIA and OJS staff requesting an assessment of both Navajo Nation public safety facilities, which is required to meet eligibility requirements for facility replacements and a grant through the U.S. Department of Justice Renovation of Correctional Facilities on Tribal Lands Discretionary Grant Program.

In September 2019, the Navajo Nation received a letter from Robert M. Esquerra, Acting Special Agent in Charge stating that BIA-OJS staff do not possess the required credentials and certifications necessary to complete the type of facility condition assessment related to structural integrity, the presence of lead/asbestos, etc. The Navajo Nation was further referred to the BIA Division of Risk and Safety Management Office for the facility condition assessments. Our request for BIA to conduct and complete facility condition assessments for both the Window Rock and Shiprock Public Safety Facilities remain unanswered.

The impending closure of the Shiprock Public Safety facility would devastate over 21 Navajo communities. Annually, the Navajo Police respond to more than 25,000 calls for services resulting in more than 7,000 individuals being detained in the Shiprock facility. The closure of the facility has already handicapped the operation of the Navajo Police and Criminal Investigators limiting the arrest, detention, and prosecution of criminals.

Currently, when arrests are made in the Shiprock vicinity, the detainees are transported to either the Kayenta correctional facility (101 away) or the Crownpoint facility (116 miles). These transports take an officer off the road for an entire day and the time spent transporting detainees and inmates limits the response of Police Officers to calls for services.

The Window Rock Public Safety Facility serves over 26 Navajo community chapters. The number of calls for services in 2018 for other than Part-I offenses was 43,142 and the number of arrests was 6,863. The detention facility books 7,265 individuals each year. Since 2015, the ability to detain arrestees until trial or to imprison if found guilty has been almost non-existent and will not improve with planned capacity.

Additionally, the Window Rock public safety facility has been partially closed due to extensive structural and environmental health concerns causing an emergency situation for visitors and to detainees and personnel working in the facility. A report completed by Indigenous Design Studios and the Navajo Nation Facilities Maintenance Department was completed in August 2018 and resulted in the partial closure of this facility. The reported issues include damage to the roof of the multi-story facility, roof trusses are cracked and separating, and the metal rebars are exposed. Testing found presence of lead and asbestos at levels higher than those required for health and safety purposes. The heating, cooling and ventilation system requires weekly maintenance, yet there are complaints daily of the building being too cold or too hot. There is not enough ventilation throughout the entire building. The building was not issued a new sanitization permit and was recommended for closure.

As you can see, the ongoing issues are paralyzing the Navajo Nation's ability to properly address the ongoing public safety concerns. The lack of prioritization by BIA to address this priority is concerning. We would like to formally request a meeting to discuss options on the best way the Navajo Nation can work with your office to prioritize completing the facility condition assessments for both the Window Rock and Shiprock Public Safety facilities.

We look forward to your immediate response. If you have any questions regarding this letter, please contact Chief of Staff LaShawna Tso at lrtso@navajo-nsn.gov or (928) 871-7160.

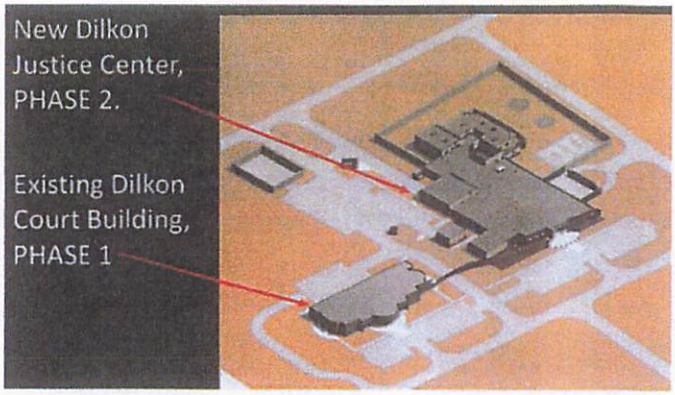
Best Regards,

Seth Damon, *Speaker*
24TH NAVAJO NATION COUNCIL

Eugenia Charles-Newton, *Chair*
LAW AND ORDER COMMITTEE

DILKON JUSTICE CENTER

DILKON JUSTICE CENTER



INTRODUCTION

Phase I of the Dilkon Justice Center was constructed in 2008 and the multipurpose court facility opened in 2009. The community is now ready to execute Phase II of the Dilkon Justice Center, which will include Navajo Department of Corrections, public safety, intake and juvenile detention, food service, adult detention and other programs. The project is currentl on hold for additional funding to cover the $35,928,890 cost of construction.

PROPOSAL

Once funding is committed, the Dilkon Justice Center will:
- Establish a maximum construction budget
-Competitively bid the project per Navajo Nation requirements
- Start construction in the summer of 2020
- Complete DSRM certificate of occupany by winter of 2021

CURRENT PROJECT STATUS

The Dilkon Chapter set aside 700 acres of trust land designated for community development. Cultural resources inventory was completed in 1979 and environmental assessments were completed in 1994. The community development plan included 10 acres for a medium district public safety center in the 1970s.

With construction of the new Dilkon Health Center underway, including staff housing, the need for public safety services is paramount. The construction plans are 100 percent complete and the project is shovel-ready. Construction is on hold pending additional funding:

- $3,064,577 is currently encumbered from Navajo Nation Judicial - Public Safety Fund.
- $2,911,774 current funding expended.
- $35,928,890 total funding requested.

NAVAJO NATION JUDICIAL BRANCH

11 JUDICIAL DISTRICTS

- Aneth
- Chinle
- Crownpoint
- Dilkon
- Dzil Yijiin
- Kayenta
- Ramah
- Shiprock
- To'hajilee-Alamo
- Tuba City
- Window Rock

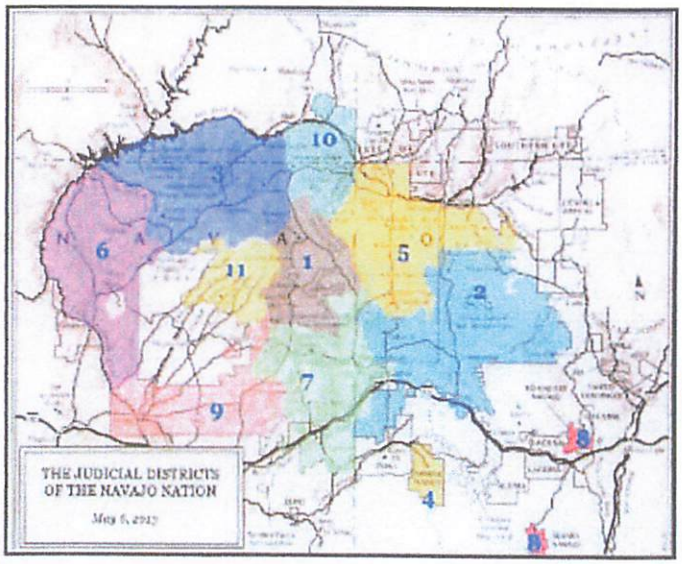
STATISTICS

The Navajo Nation is comprised of 27,425 square miles of land covering the states of Arizona, New Mexico and Utah. Apache County, Bernalillo County, Coconino County, McKinley County, Navajo County, San Juan County (N.M.), San Juan County (Utah), and Socorro County extend into the Navajo Nation. The 2010 Census counted a population of 332,129 Navajos, with 156,823 residing on the Navajo Nation.

NAVAJO NATION JUDICIAL SERVICES

- Adm. Office of the Court
- District Courts
- Family Court
- Judicial Conduct Comm.
- Ofc of Probation-Parole Svcs.
- Peacemaking Program

NAVAJO NATION JUDICIAL DISTRICTS



1	Chinle	7	Window Rock
2	Crownpoint	8	Alamo/Tohajiilee
3	Kayenta	9	Dilkon
4	Ramah	10	Aneth
5	Shiprock	11	Dzil Yijiin
6	Tuba City		

JUDICIAL BRANCH AND PUBLIC SAFETY

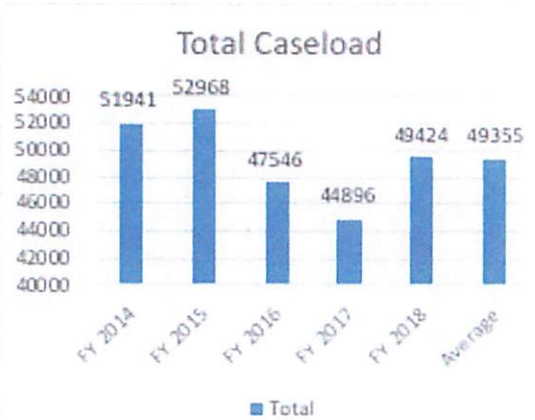
NEW FACILITY COSTS: O&M, CONSTRUCTION, STAFFING

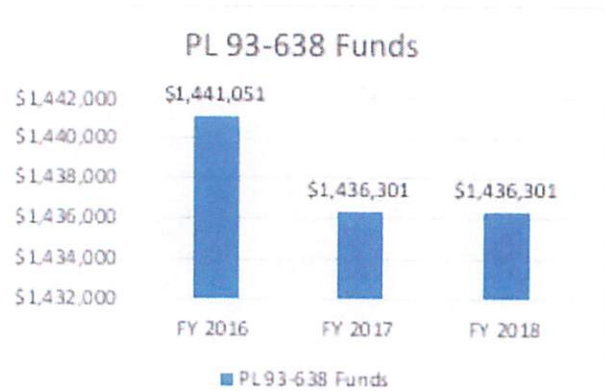
Priority	Facility	Status	Estimated Size (Sq. Ft.)	Construction Budget	DPS Staffing Cost (Per Year)	Courts Staffing Cost (Per Year)	O&M (Per Year)	Funding
1	Shiprock Judicial Public Safety and Medical Examiner Facilities	Concept Design	97,000	$58,782,000	$9,776,141	$1,703,177	$1,164,000	
2	Window Rock Judicial Public Safety and Medical Examiner/Lab Facilities	Planning	102,500	$79,241,914	$10,178,490	$1,712,322	$1,230,000	
3	DPS Headquarters Office Building	Planning	45,000	$31,482,784	$2,703,083		$540,000	
4	Dilkon Public Safety Building	Construction Shovel Ready	48,584	$35,928,890	$3,969,516	$933,772	$583,008	
5	Kayenta Court Facility – Phase II of the Kayenta Justice Center	Planning	17,000	$12,000,000	$204,000	$1,265,915	$204,000	
6	DPS Regional Training Academy	Construction Shovel Ready	50,000	$39,000,000	$1,660,412		$600,000	
7	Pinon Judicial Public Safety Building	Construction Shovel Ready	55,465	$38,088,455	$4,528,269	$752,268	$665,580	
8	Alamo Police Substation & Holding Facility	Planning	11,800	$6,878,134	$1,214,237		$141,600	
9	Aneth Police Substation & Holding Facility	Planning	11,800	$6,878,134	$1,214,237		$141,600	
10	LeChee Police Substation & Holding Facility	Planning	11,8000	$6,878,134	$1,214,237		$141,600	
11	Tohatchi FD & Substation	Planning	8,000	$4,500,000	$559,731		$96,000	
12	DPS Relocation Costs for both Shiprock and Window Rock	N/A	N/A	$10,000,000				
		Totals:	458,949	329,668,445	37,222,353	6,376,454	5,507,388	$0

- Staffing costs include law enforcement, criminal investigations and corrections.

- Staffing costs include courts.

- Navajo Nataion annual opeartions and maintenance costs for each facility is calculated at $12 per square feet. (BIA DFMC allows $5 per square feet for federally funded BIA buildings.



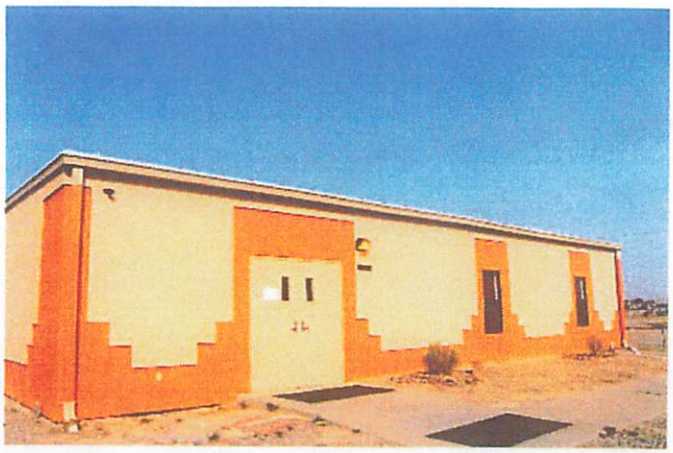


KAYENTA JUDICIAL DISTRICT

FY 2018 CASE LOAD

Kayenta Judicial District										
Case Type	Brought Forward		Filed		Caseload		Closed Cases		Pending	
Civil	68	4%	86	3%	154	3%	103	4%	51	3%
Criminal	705	44%	1,279	44%	1,984	44%	676	26%	1,308	68%
Civil Traffic	389	24%	806	28%	1,195	27%	1,080	42%	115	6%
Criminal Traffic	136	9%	283	10%	419	9%	125	5%	294	15%
District Total	1,298		2,454		3,752		1,984		1,768	
Family Civil	94	6%	86	3%	180	4%	109	4%	71	4%
Domestic Violence	159	10%	318	11%	477	11%	442	17%	35	2%
Dependency	36	2%	25	1%	61	1%	16	1%	45	2%
Delinquency	10	1%	10	0%	20	0%	13	1%	7	0%
CHINS	0	0%	1	0%	1	0%	1	0%	0	0%
	299		440		739		581		158	
	1,597	100%	2,894	100%	4,491	100%	2,565	100%	1,926	100%

Chapter Population						
	Population per 1980, 1990, 2000, 2010 Census					Population Projection
Chapters	1980	1990	2000	2010		2020
Chilchinbeto	1,028	1,177	1,325	1,165		1,901
Dennehotso	1,600	1,548	1,626	1,462		2,332
Inscription House	895	1,010	1,214	1,252		1,740
Kayenta	3,999	4,902	6,315	6,211		9,057
Navajo Mountain	554	587	632	624		906
Oljato	1,651	1,913	2,292	2,241		3,287
Shonto	1,881	2,330	2,419	2,124		3,469
Total	11,608	13,467	15,823	15,079		22,692



INTRODUCTION

The Kayenta Judicial District covers approximately 2,439,395 acres and seven chapters on the Navajo Nation in Arizona and Utah with a population over 19,240 residents. The current facility provides district and family court services in a 25-year-old 52x54 feet modular court building that is dilapidated and inadequate for today's judicial need. The building has one court room, no prisoner holding area, no jury deliberation room or space for attorneys to meet with clients, poor acoustics, and a dangerous history of mold. The district probation and peacemaking services are located in a 30-year-old double wide trailer with structural problmes that result in ceiling leaks and floor separation. The cost for the Kayenta Judicial Complex is projected to be $12 million.

KAYENTA DISTRICT

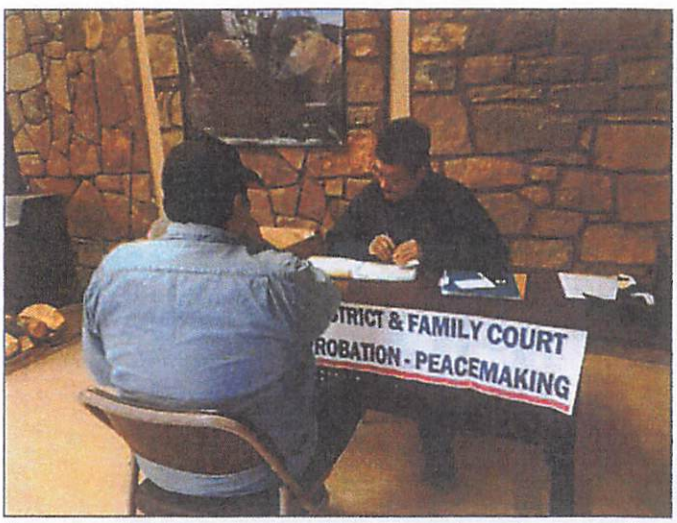
PROJECT NEED

The Kayenta District is experiencing rapid growth and there is a critical need for a judicial complex that provides court, peacemaking services, prosector's office, and public defender services. There is currently one court room for the entire district. The lack of separate areas results in the mixing of adults and juveniles. The acoustics are so poor that people entering into the building interrupt the court's audio recordings.

In Feb. 2013, the court was closed due to mold and unknown toxic vapors. The staff was forced to relocate into a 28-14 feet office inside the probation services building during the year-long building remediation. The open floor plan provides no privacy when meeting the public, victims or law enforcement.

The public defender has no office in Kayenta and staff travel from Tuba City twice a week for hearings. The Kayenta Judicial District has a high case load referral to the public defender.

COURT SERVICES



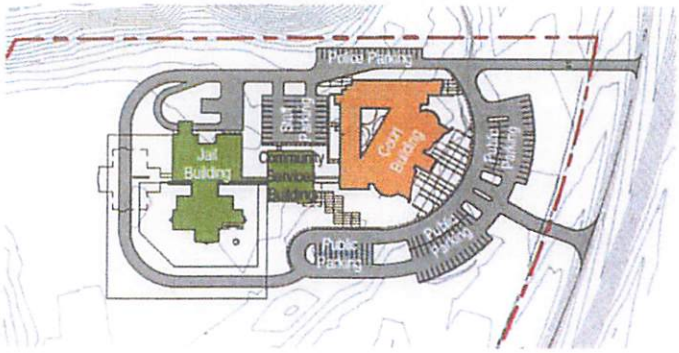
The open area format for court services, whether it is probation services, peacemaking, public defender services, prosecutor's office or district court is not conducive to the necessary privacy for the general public or those charged in court cases.

PROPOSED KAYENTA JUDICIAL COMPLEX

The Kayenta Township approved a grant for the Navajo Nation in the amount of $55,000 for architectural and engineering services for a new 17,000 square feet judicial facility. All land withdrawals, environment and archaeological compliance reports (including FONSI) are completed for the 21.22-acre Kayenta Judicial and Public Safety site. The objectives of the development are to provide a safe and adequate building for the courts, probation services, peacemaking prosecutor's office and public defender services with cultural significance.

DZIL YIJIIN DISTRICT

PINON JUSTICE CENTER



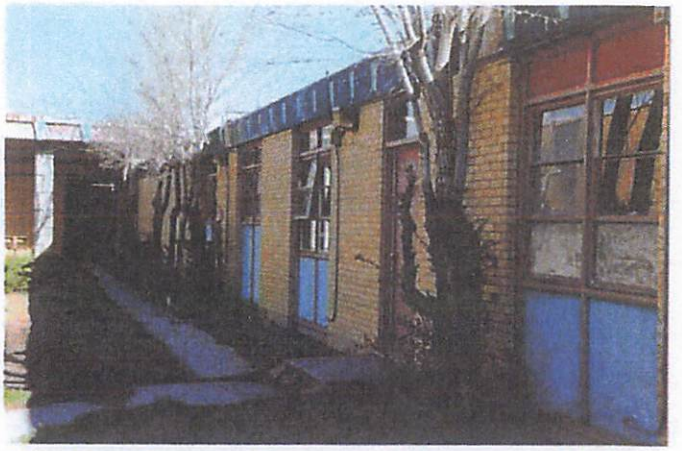
INTRODUCTION

The Pinon Chapter and other District 4 communities have been severely impacted socially and economically, resulting in a lack of infrastructure development and the increased population from the relocation of affected families. The Chinle Navajo Agency only has four police officers per shift, which does not include the Dzil Yijiin region. These areas are not covered by public safety a majority of the time. Because of the lack of public safety, the majority of incidents and crimes are not reported or covered, despite the need by community members.

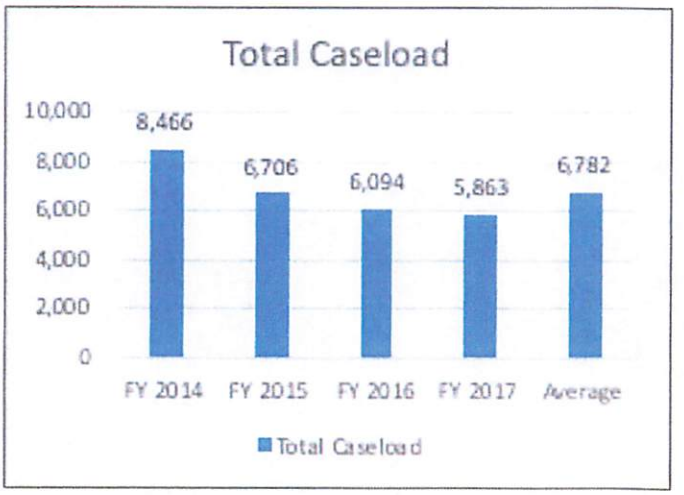
Presently, the Pinon Public Safety and Judiciary Complex is seeking funding for the Dzil Yijiin region in the projected cost amount of $38,088,455. The new facility will be a permanent justice center in Pinon, Ariz. that would house Dept. of Corrections, public safety, and judicial services inside a 53,000 square feet building. The project is in the architectural and engineering design stage and land for the project is identified.

The overall crime rate in Pinon is 86 percent higher than the national average. For every 100,000 people, there are 13.12 daily crimes that occur in Pinon. Relative to Arizona, Pinon has a crime rate that is higher than 59 percent of the state's cities and towns of all sizes. In Pinon, you have a 1 in 21 chance of becoming a victim of any crime. Based on FBI crime data, Pinon is not one of the safest communities in America.

SHIPROCK JUSTICE CENTER



The exterior of the Shiprock Police Department was shown to U.S. Rep. Ben Ray Luján, D-N.M., as he toured the police department and Shiprock Judicial District courthouse on March 22, 2019. *(Photo Daily Times file photo)*



INTRODUCTION

The Shiprock Judicial District provides services as a district court, family court, peacemaking program, and Office of Probation and Parole Services. Shiprock Judicial District serves 17 chapters, including Beclabito, Cove, San Juan, and Upper Fruitland, all within a district court building that is now 48 years old. From 2015 to 2018, Shiprock had the second highest caseload of all judicial districts. The cost for constructing the Shiprock Justice Center is $61,942,000.

PROJECT NEED

Northern Navajo Medical Center Office of Environmental Health and Engineering, the district sanitarian, determined that the facility is unsuitable for continued operation and that it should be closed. This was due to the human life and public safety services that this facility and its programs provide for a broad range of New Mexico citizens.

The project aligns with more than a decade of master planning by the Navajo Nation Judicial Branch and the Division of Public Safety. The proposed tenants of the new facility will include Navajo Police and criminal investigations, including adult and juvenile corrections. Also included are judicial courts and support programs, probation officers, peacemaking, and re-entry programs. The Office of the Prosecutors and public defenders are also included. This facility will provide capacity for assessment and intervention services for individuals in the corrections system, which will enhance the Navajo Nation's public safety system.

Presently, the Shiprock Police District Criminal Investigations lack an autopsy and lab facility. The new facility design include these capabilities. Additonally, the existing Shiprock Adult Detention Center does not have space for programming individual and group support intervention. The design of the new facility accommodates these needed services for those in the corrections system.

PROCUREMENT

In May 2018, procurement of the architectural-engineering and design consultants was completed through request for qualifications process. Indigenous Design Studio + Architects was selected. In July 2018, procurement of the construction manager at risk was completed through the RFQ process. Arviso-Oakland Construction was selected as the CMAR and design assist consultant to IDS+A.

IDS+A and Arviso-Oakland are currently going through the 164 process. $3.15 million of Navajo Public Safety Funding and $3.15 million of N.M. Grant Funding (#609-19-D2655) have been committed and encumbered for initial project consultant contracts.

ANETH JUDICIAL COMPLEX

5-YEAR CASE LOAD STATISTICS

Case Type	2015	2016	2017	2018	2019
Criminal	150	175	207	197	188
Criminal Traffic	25	37	40	50	23
Civil Traffic	286	329	397	367	277
Civil	43	60	30	33	24
District Total	504	601	674	647	512
Family Civil	54	63	85	74	66
Domestic Violence	94	106	114	83	73
Dependency	1	1	3	3	6
Delinquency	0	2	5	2	1
CHINS	0	2	0	2	0
Family Total	158	174	207	164	146

PROPOSAL

Project cost is estimated to be $7 million for site development, architectural and engineering design, and construction for a new building complex for the Aneth Judicial District in Utah. Additional costs are for public safety substation, Dept. of Corrections temporary holiding cells, prosecutor's office, and service provider's office.

INTRODUCTION

The Aneth Judicial Complex will not only house the Judicial Branch, but also Department of Public Safety, Navajo Nation Prosecutor's Office, and other essential tribal service providers. The Aneth District Court is located in the Northern Navajo Agency, on the Utah portion of tribal lands.

The Aneth District Court is a 13-year-old mondular building with limited space, aging building and infrastructure, and is inadequate for today's judicial demands. There is only one courtroom to serve the entire district, no jury deliberation room and no space for attorneys to meet with their clients. There are no secure prisoner holding areas as they await their turn to see the judge. This lack of space often results in prisoners mixing with juveniles and the general public.

CURRENT PROJECT STATUS

All land withdrawals have been completed for the 4-acre Aneth Judicial and Public Safety Complex. All infrastructure will be onsite when funding procurement is completed. All other clearances will be coordinated through the chapter and its agents.

The intent of this proposal is to help fund implementation of architectural and engineering design, including construction of the 12,000 square feet judicial complext that includes landscaping and parking. The project will meet tribal building code standards.

PROJECT OBJECTIVE

The objective of the Aneth Judicial Complex is to establish a new public judicial complex that will accommodate the ever-expanding judicial personnel and programs. When the new complex is completed and operational, it will bring online a safe facility for court, probation, peacemaking, meeting rooms, hearing rooms, and space for social services and public safety.

ANETH DISTRICT COURT TODAY

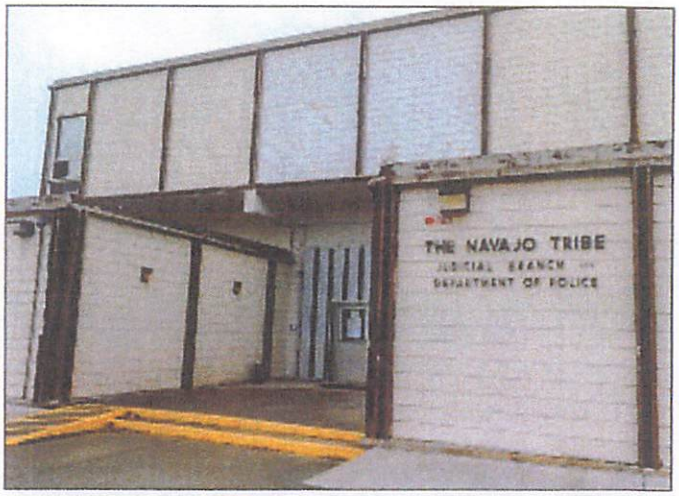
The current court building was purchased utilizing Aneth Chapter funds. The building belongs to the chapter and was purchased from Phoenix Modular in Feb. 2007. Court hearings were previously held at the Aneth Chapter House until they moved into the modular court house in late 2007. This temporary solution was supposed to last five years until a permanet structure was constructed. Additonal court staff is needed, but it is not safe to add additional personnel due to the lack of space.

U.S. DISTRICT COURT, TRIBAL-COMMUNITY RE-ENTRY COURT

The federal court judge, staff and probation officers for the U.S. District Court of Utah, Tribal and Community Re-Entry Court travel to Aneth Judicial District bi-monthly to hold hearings with federal parolees to address high recidivism rates and help re-integrate them into the community. The TCRC also have review hearings at Aneth District Court to assist participants with re-entry into the community. The participants are in dire need of the most basic form of support: healthcare and counseling.

Aneth Judicial District provides re-entry hearings to eliminate travel to Salt Lake City for participants and their families for hearings. Aneth Judicial District and TCRC assist with individualized support and access to quality drug and alcohol counseling, mental health treatment, education, and job opportunities. The district and community courts are pleased witht he TRCR partnership and the effort to re-integrate participants and reduce recidivism to heal the Aneth District.

WINDOW ROCK JUDICIAL COMPLEX



The Window Rock Public Safety and Court has serious issues that has resulted in the closure of the court house because it was condemned for unsafe conditions. The high traffic volume (7,800 cases) makes its temporary facility impractical for service.

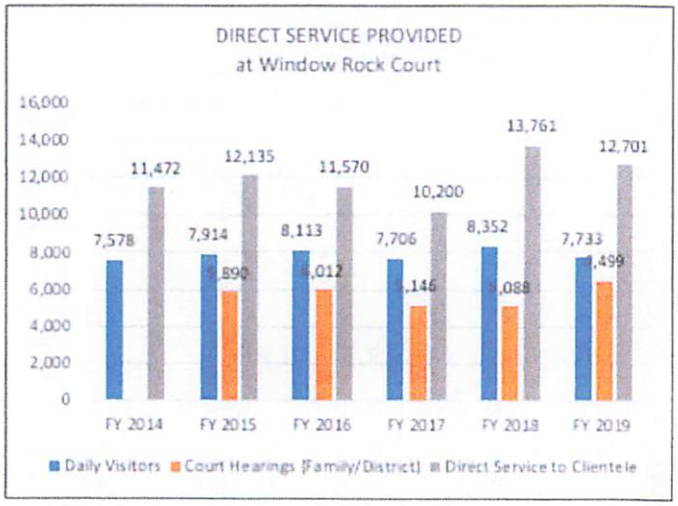
INTRODUCTION

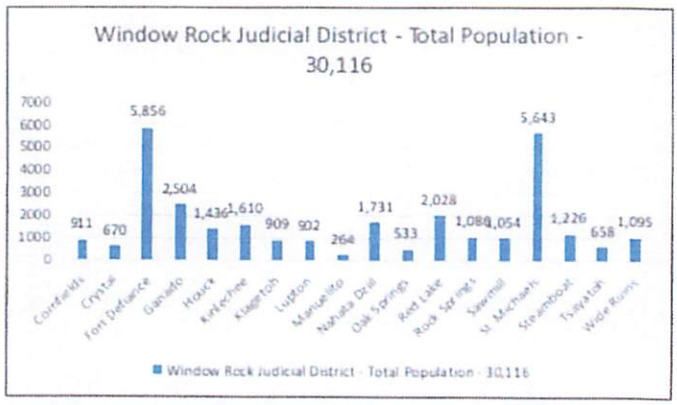
The Window Rock Judicial District serves 18 chapters on the Navajo Nation, including Crystal, Fort Defiance, Ganado, and St. Michaels. They cover services of the District Court, Family Court, Peacemaking Program, and Office of Probation and Parole Services. From FY 2015 to 2017, Window Rock Judicial District had the highest caseload of all judicial districts. Much of their facility is inadequate for the various services they provide, such as the current Family Court has no facility and the staff are stationed at the Administrative Office of the Courts, with PPS and Peacemaking staff are in former housing units.

PROJECT NEED

The Window Rock District is one of the largest districts on the Navajo Nation and handles over 7,800 cases over 11,000 visitors, annually. In 2017, the district moved from their former home that was structurally deemed unsafe and condemned. Since then, the district court has had to relocate its justice services twice. The district is now co-located with the Administrative Office of the Courts (AOC) in a building that is impractical for high traffic and high caseload numbers, as the AOC building was never designed to administer direct services. The district staff occupies two conference rooms in the building in overcrowded conditions. The District Court is doing the public a disservice by not having the capacity of a court room to provide optimum justice services in a safe environment.

Seeing as this project is still within its planning phase, the projected cost for this new facility is projected to be $110,724,698. The new Window Rock Judicial Complex will house Public Safety Resources and Medical Examiner and Lab Facilities. This Judicial Complex will also be the headquarters for the Navajo Nation Department of Public Safety.





The Window Rock Public Safety building houses inmates in its jail, includes an upstairs court room, and also serves as the headquarters for the Navajo Police and Navajo Division of Public Safety. The building continues to fall apart.

TOHATCHI JUDICIAL COMPLEX

The community of Tohatchi, N.M. is on U.S. Route 491 and near the Chuska Mountains. The community is in need of a police substation, fully functional fire station, and emergency medical services.

The Tohatchi High School Cougars recently won the girls state championship. During the same year, the school was on lock down due to an active shooter incident that occurred near the elementary school.

For many years, the Tohatchi Juvenile Detention Center was the facility for under-aged individuals that were arrested for crime.

INTRODUCTION

District 14 consists of Naschitti, Tohatchi, Mexican Springs, Coyote Canyon, and Bahastl'ah Chapter communities. There has been an increased demand for public safety services, Law Enforcement, Emergency Medical Services, and a Fire Department. The Public Safety Complex will be located between the Crownpoint, NM; Window Rock, AZ; and Shiprock, NM Judicial Districts. This will ensure that the services needed will be provided in an efficient and effective manner. Presently, an abandoned detention center is located on the land tract that is withdrawn for the Public Safety Complex. Due to the presence of asbestos in the building, an abatement and demolition is required in order to continue planning of the construction of the Public Safety Complex.

PROJECT NEED

The plan to construct a new Public Safety Complex has been initiated in the neighboring Tohatchi Chapter community. This complex will consist of: a police substation that will provide for Navajo Nation Police, New Mexico State Police and McKinley County Police; house the Tohatchi Emergency Medical Services personnel; and have a fully functional fire station that will house both Navajo Nation Fire Department and McKinley County Fire department personnel. It would also become apparent that modern enhancements to current fire and police stations in Window Rock and Shiprock new facilities altogether would be optimal in ensuring the safety of the Navajo People who reside in these areas as well.

There has been increased traffic flow on Highway 491 within the District 14 community boundaries, with 9,000, both personal vehicles and semi-trucks, passing through every month. Just in 2019 alone, there have been five major arsons, in Naschitti, NM, and an active shooter situation at the local Tohatchi High School, in Tohatchi, NM. The closest fire stations are located 35 miles south and a small fire station 15 miles to the north. The response time to get to these remote areas around 20-30 minutes and depending on availability of personnel. This has made it challenging for Navajo Nation police officers to respond to the scene in an efficient time and order to be effective. The lack of personnel of our Navajo Nation Police Force made it clear how dependent we are on McKinley County Sheriff and New Mexico State Police Force. The District 14 communities are working against time and financial barriers as they continue to work tediously towards making the District 14 Public Safety Building a reality.

NAVAJO NATION JUDICIAL CONTACT INFO.

Chinle Judicial District
P.O. Box 547
Chinle, AZ 86503
Phone: 928-674-2070
Fax: 928-674-2089

Crownpoint Judicial District
P.O. Box 6
Crownpoint, NM 87313
Phone: 505-786-2072
Fax: 505-786-2086

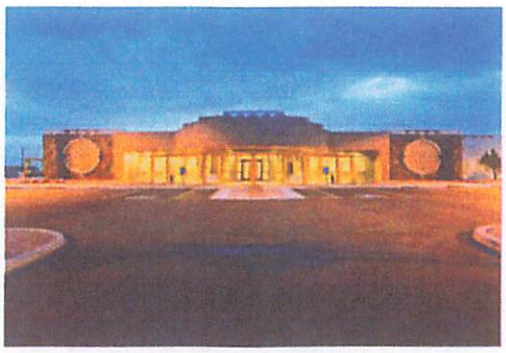
Pueblo Pintado Circuit Court
P.O. Box 6
Crownpoint, NM 87313
Phone: 505-655-3268

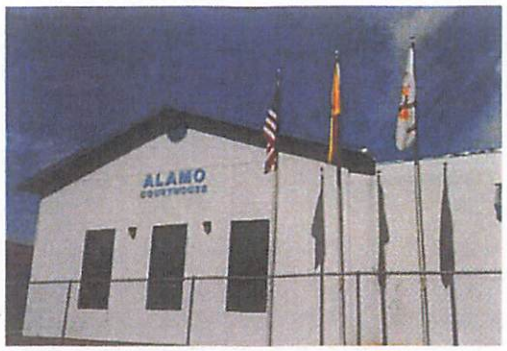
Kayenta Judicial District
P.O. Box 2700
Kayenta, AZ 86033
Phone: 928-697-5549
Fax: 928-697-5546

Ramah Judicial District
P.O. Box 309
Ramah, NM 87321
Phone: 505-775-3218
Fax: 505-775-3399

Shiprock Judicial District
P.O. Box 1168
Shiprock, NM 87420
Phone: 505-368-1270
Fax: 505-368-1288

Tuba City Judicial District
P.O. Box 725
Tuba City, AZ 86045
Phone: 928-283-3140
Fax: 928-283-3158





Window Rock Judicial District
P.O. Box 5520
Window Rock, AZ 86515
Phone: 928-871-6626
Fax: 928-871-7560

Alamo-Tohajilee Judicial District
P.O. Box 5458
Alamo, NM 87825
Phone: 505-854-2668
Fax: 505-854-2660

Dilkon Judicial District
P.O. Box 787
Winslow, AZ 86047
Phone: 928-657-8140
Fax: 928-657-8146

Aneth Judicial District
P.O. Box 320
Montezuma Creek, UT 84534
Phone: 435-651-3545
Fax: 435-651-3546

Dzil Yijiin Judicial District
P.O. Box 129
Pinon, AZ 86510
Phone: 928-725-3781
Fax: 928-725-3786

RESOLUTON OF THE
LAW AND ORDER COMMITTEE OF THE
24th 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 24th 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

EXHIBIT
1

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
24TH 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. Thank you.

Attachment

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
24th Navajo Nation Council

Laureen Spencer, Legislative Advisor
Office of Legislative Services

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

LOCAP-03-22

RESOLUTON OF THE
LAW AND ORDER COMMITTEE OF THE
24th 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 24th 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

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

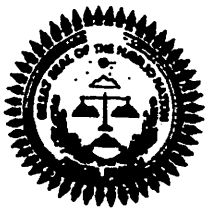
Yea: Hon. Vince James, Hon. Eugene Tso, Hon. Otto Tso
Nay:
Not Voting: Hon. Eugenia Charles-Newton, Hon. Edmund Yazzie
Excused: None
Absent: None

Eugenia Charles-Newton, Chairwoman
Law and Order Committee
24th Navajo Nation Council

Laureen Spencer, Legislative Advisor
Office of Legislative Services

EXHIBIT
1

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
24TH 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. 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. Dzil 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

Exhibit A: Final Agreement: May 10, 2021

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. Dzil Yijiin, 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

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