



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

August 11, 2020

The Honorable Ruben Gallego
Chairman, Subcommittee for
Indigenous Peoples of the United States
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Gallego:

The Tribal Law and Order Act of 2010 (Act) requires the Bureau of Indian Affairs (BIA) to submit an annual report to Congress for each fiscal year that includes (1) the number of full-time employees of BIA and tribal governments who serve in Public Safety and Justice programs; (2) the amount of appropriations obligated for Public Safety and Justice programs, including the methodology used to determine the allocation of funds; (3) estimates of unmet staffing needs of law enforcement, corrections, and court personnel; and (4) a summary of BIA technical assistance, training, and other support provided to tribal law enforcement and corrections agencies that operate relevant programs. Enclosed is a report that satisfies the BIA's reporting requirements for Fiscal Year 2018 pursuant to the Act.

Identical letters are being provided to the Honorable Paul Cook, Ranking Member, Subcommittee for Indigenous Peoples of the United States, Committee on Natural Resources, U.S. House of Representatives; the Honorable John Hoeven, Chairman, Committee on Indian Affairs, United States Senate; and the Honorable Tom Udall, Vice Chairman, Committee on Indian Affairs, United States Senate.

Sincerely,

A handwritten signature in black ink that reads "Darryl LaCount". The signature is fluid and cursive, with a long horizontal stroke at the end.

Director, Bureau of Indian Affairs

Enclosure



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Washington, DC 20240

August 11, 2020

The Honorable Tom Udall
Vice Chairman, Committee on Indian Affairs
United States Senate
Washington, DC 20510

Dear Senator Udall:

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Sincerely,

A handwritten signature in black ink that reads "Darrin LaCounte". The signature is written in a cursive style with a long horizontal line extending to the right.

Director, Bureau of Indian Affairs

Enclosure



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

August 11, 2020

The Honorable John Hoeven
Chairman, Committee on Indian Affairs
United States Senate
Washington, DC 20510

Dear Chairman Hoeven:

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Sincerely,

Director, Bureau of Indian Affairs

Enclosure



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

August 11, 2020

The Honorable Paul Cook
Ranking Member, Subcommittee for
Indigenous Peoples of the United States
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Representative Cook:

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Sincerely,

Director, Bureau of Indian Affairs

Enclosure



Bureau of Indian Affairs - Office of Justice Services



Report to the Congress on Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2018

July, 2020

Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2018

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

EXECUTIVE SUMMARY

This report satisfies the Bureau of Indian Affairs (BIA) reporting requirements (see Appendix C) in the Tribal Law and Order Act of 2010 regarding spending, staffing, and estimated costs for BIA-funded Public Safety and Justice Programs in Indian Country for 2018.

2018 BIA Spending:

- Law Enforcement: \$236.1 million
- Detention/Corrections: \$114.5 million
- Tribal Courts: \$52.7 million, including court assessments and technical assistance

2018 Staffing, BIA actual and Tribal estimated:

- Law Enforcement: 2,052 FTE
- Detention/Corrections: 1,239 FTE
- Tribal Courts: 526 FTE

2018 Total Estimated Costs:

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

In addition, this 2018 report includes data on Public Safety and Justice Programs (PS&J)-related technical assistance, training, and other support provided to Tribes that operate relevant programs under self-determination contracts or self-governance compacts, also required by the Act (see Appendix C).

- Technical Assistance: 2,678 documented instances
- Training: 128 sessions serving 5,028 Tribal and Federal public safety personnel.

I. INTRODUCTION

The Tribal Law and Order Act of 2010, Public Law 111-211 (TLOA) was designed to provide greater freedom for Indian Tribes and Tribal nations to design and operate their own justice systems, making Federal departments and agencies more accountable for serving Native people and lands. The TLOA specifically requires the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) to

report on spending, staffing, and unmet needs for PS&J programs in Indian Country. This report includes spending and staffing data for 2018, as well as annual cost estimates, for PS&J programs.

II. DATA SOURCES

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

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

BIA used a web-based data collection survey tool accessible to Tribes on the BIA webpage, www.bia.gov, during the initial iteration of this report in 2015. Tribal leaders of all federally recognized Tribes were notified via mail and email of the need for data to satisfy TLOA reporting requirements and informed of the availability of the BIA data collection tool. Fewer than 60 of the 567 tribes used the online tool or met with BIA field managers to report the requested information. The information received from Tribes varied substantially in degrees of completeness and proved difficult to verify. To ensure consistency of data, this report uses models to estimate annual program costs and FTE needs across the board.

III. BIA FUNDING AND STAFFING

The TLOA requires BIA to submit a detailed spending report and the methodology used to disburse funds for PS&J programs administered by OJS. OJS allocates its recurring appropriations to 191 Law Enforcement programs; 96 Detention/Corrections programs (for 55 Tribes); 15 district, headquarters, and support offices; 230+ Tribal Courts; and other BIA agency offices that support PS&J programs. The BIA funds are spent either by BIA to deliver direct services or by Tribes when they contract services with funds transmitted to the Tribes through self-determination contracts or self-governance compacts, pursuant to the Indian Self-Determination and Assistance Act, P.L. 93-638.

BIA uses a Federal financial and accounting system to disburse funding to PS&J programs. The system provides reporting capabilities sufficient to meet TLOA requirements for reporting expenditures for all programs, whether BIA or tribally operated, but can only meet the staffing reporting requirements for programs administered by BIA as a direct service to Tribes; therefore, the percentage of need funded (calculated at the State level) is used to estimate Tribal FTE figures. Law Enforcement and Detention/Corrections services are provided by both BIA and the Tribes. Nearly all Tribal Courts are administered by the Tribes. BIA operates a few Tribal Court functions directly but primarily provides technical support to Tribes that operate courts.

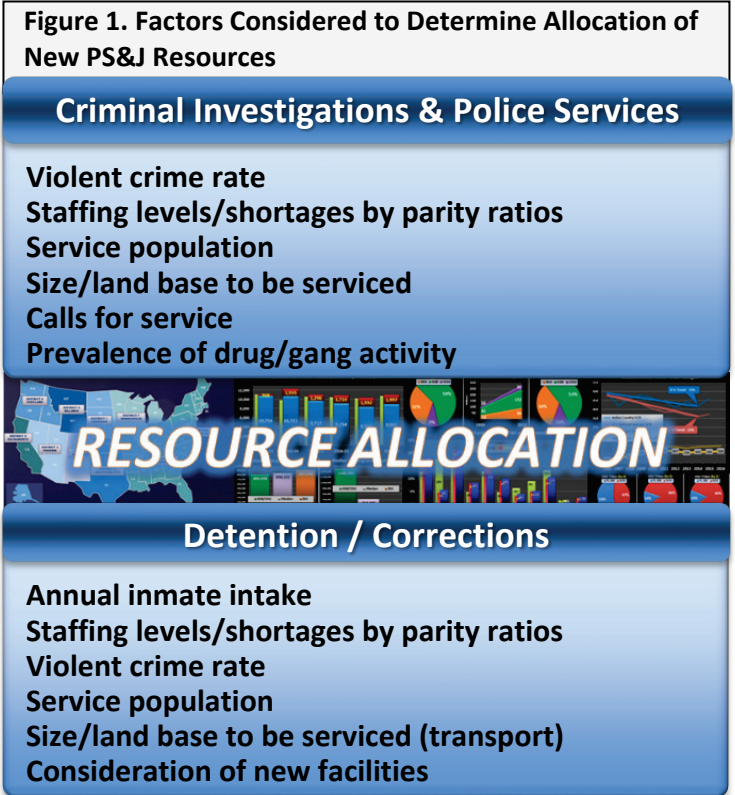
Methodology for Disbursing PS&J Funding

Law Enforcement and Detention/Corrections Programs—

The methodology for disbursing Law Enforcement and Detention/Corrections funding is based on historical allocations. Until 1999, funding for the Law Enforcement and Detention/Corrections program was provided to Tribes as Tribal Priority Allocations (TPA). The TPA designation provides Tribes the discretion to prioritize their annual base funding among all BIA-funded programs with a TPA designation to serve the unique needs of their communities. In 1999, to ensure that funding for Law Enforcement and Detention/Corrections programs was spent on those programs and to strengthen Federal accountability for public safety in Indian Country, the TPA designation for Law Enforcement and Detention/ Corrections programs was eliminated. The amount of TPA funds that Tribes allocated to Law Enforcement and Detention/Corrections programs in

1999, when the TPA designation was removed, is the basis for the current funding levels distributed to each Tribe. The budget increases provided since that time have been distributed on top of the historical base amounts because by law, one Tribe's base funding under contract or compact may not be reduced to increase the base funding of another Tribe.

As directed in the Conference Committee Report to the Consolidated Appropriations Act, 2008, BIA evaluates a number of factors (shown in Figure 1) to ensure budget increases “reach the areas with the greatest need.”



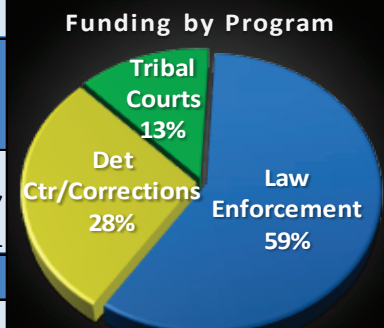
Tribal Courts—Unlike the Law Enforcement and Detention/Corrections programs, the Tribal Courts program remains in the TPA category, allowing individual Tribes to mingle and allocate Tribal Courts funding among various TPA programs to best meet their unique need or priority in any given year. As with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

Disbursement of PS&J Funding

Law Enforcement Programs—In 2018, BIA funding obligated for Law Enforcement programs reached \$236.1

Table 1. Summary of Funding and FTE for BIA-funded Public Safety and Justice Programs, FY 2018

Program/Operator	FY 2018	
	FTE	BIA Appropriations Expended
Law Enforcement		
BIA Direct Services	487	94,287
Tribally Contracted/Compacted Programs	1,565	141,821
Total Law Enforcement	2,052	\$ 236,108
Det Ctr/Corrections		
BIA Direct Services	262	43,400
Tribally Contracted/Compacted Programs	977	71,075
Total Det Ctr/Corrections	1,239	\$ 114,475
Tribal Courts		
BIA Direct Services	20	6,637
Tribally Contracted/Compacted Programs	506	46,026
Total Tribal Courts	526	\$ 52,663
PS&J Programs		
BIA Direct Services	769	144,324
Tribally Contracted/Compacted Programs	3,048	258,922
Total PS&J Programs	3,817	\$ 403,246



million (see Table 1). About 40 percent of the funding was allotted to BIA direct-service programs, with the remainder going to tribally run programs. A small amount of funding for Law Enforcement goes toward operations in Public Law 83-280 (P.L. 280) States due to historical reasons or because program administrative offices are located in those States. Jurisdictions covered under P.L. 280 delegated Federal criminal jurisdiction on Indian lands to State governments and approved the enforcement of a State’s criminal code by State and local law enforcement officers in Indian Country.

Detention/Corrections Programs—In 2018, BIA funding for Detention/Corrections programs reached \$114.5 million. Roughly 38 percent of the funding was allotted to BIA direct-service programs, with the remainder going to tribally run programs. A minimal amount of funding for detention goes to operations in P.L. 280 States due to historical reasons or program administrative offices in those States.

Tribal Courts—In 2018, BIA funding for the Tribal Courts program reached \$52.7 million, including court operations, court assessments, and technical assistance. Around 88 percent of the funding was allotted to tribally contracted/compacted programs. The remainder funded court assessments and BIA technical assistance. Approximately one-third of the total funded Tribal Court activities in P.L. 280 States, as directed by Congress.

BIA Staffing of PS&J Programs

In 2018, BIA-operated Law Enforcement programs employed 487 FTEs, Detention/Corrections programs employed 262 FTEs, and the Tribal Courts budget line item supported a staff of 20 FTEs for BIA to administer the program and provide technical support. The number of FTEs employed by Tribes operating those programs under contract is uncertain. Tribes, by law, are not required to provide employment information, and most Tribes do not provide such information; however, applying the percentage of total estimated program costs that were actually funded in FY 2018 to the budget models used for this report enables us to estimate the Tribal FTEs funded by BIA for FY 2018. The resulting figures are 1,564 Tribal FTEs for Law Enforcement, 977 for Detention/Corrections, and 506 for Tribal Courts.

IV. TOTAL ESTIMATED COSTS

The report provides an estimated total FTEs and cost of Law Enforcement for all Tribes throughout Indian Country, including P.L. 280 States regardless of whether services are provided by Federal, State, local, or Tribal entities. Cost estimates for Tribal Courts also include all Tribes because of Tribal sovereignty and the potential for Tribal Courts to have expanded court responsibilities under TLOA and the reauthorization of the Violence Against Women Act (VAWA). The FTE and cost estimates

for Detention/Corrections are limited to existing structures because not every Tribe may need a separate detention facility, and facilities often are shared regionally.

Methodologies for Calculating Estimated Costs of PS&J Programs

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

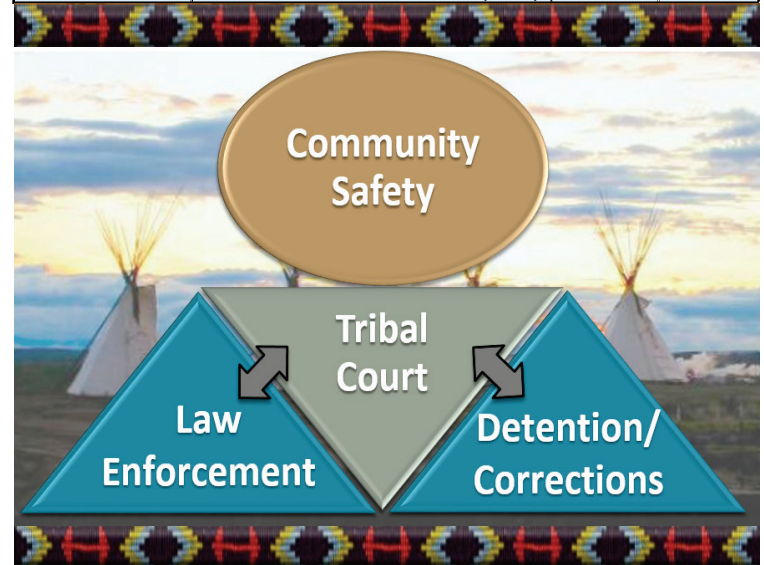
Law Enforcement Cost Estimate—The cost of a full-time “basic” program that would serve Tribes with service populations ranging from 1,601 to 6,500 is estimated at \$2.3 million. That figure is based on a budget for a standard Law Enforcement program model that includes police officials, dispatchers, administrative services, and supplies and equipment. The number of officers budgeted at each level generally follows a ratio of 2.8 officers per 1,000 residents. The scalable Law Enforcement budget model in Table 2 shows the basic program scaled to various levels based on Tribal service populations. For example, Tribes with a service population of fewer than 600 could be served by a Law Enforcement agency with a lower capacity, at a cost of \$757,000, whereas Tribes with a service population ranging from 16,251 to 19,500 would require a Law Enforcement presence three times the basic program size, at an annual cost of \$6.7 million.

Tribal Courts Cost Estimate—Data collected from Tribal Court assessments completed by BIA over the past few years was used to produce a scalable Tribal Court budget model. The size of the Tribe’s service population drives the size of the court, and the size of the court drives the

cost of the court. The scalable Tribal Court budget model in Table 2 shows the cost of a full-time court that would serve Tribes with service populations ranging from 1,601 to 6,500 is estimated at \$2.0 million and scaled to various levels based on Tribal service populations. For example, Tribes with a service population of fewer than 600 could be served by a court that operates for 4.3 months over

Table 2. Scalable Budget Models Used in Report

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



Scalable Tribal Court Budget Model			
Tribal Service Population Size	Tribal Court Need	Number of Positions	Annual Cost (\$000)
<600	Part Time (4.3 months)	7	\$ 724
600 - 1,600	Part Time (8 Months)	13	\$ 1,320
1,601 - 6,500	Full Time (Basic)	20	\$ 2,000
6,501 - 9,750	Basic @ ≈ 50% increased capacity	30	\$ 3,000
9,751 - 13,000	Basic @ ≈ 100% increased capacity	40	\$ 4,000
13,001 - 16,250	Basic @ ≈ 150% increased capacity	50	\$ 5,000
16,251 - 19,500	Basic @ ≈ 200% increased capacity	60	\$ 6,000
19,501+	Basic @ ≈ 250% increased capacity	70	\$ 7,000

the course of a year at a cost of \$724,000, whereas Tribes with a service population ranging from 16,251 to 19,500 would require a Tribal justice system three times the size of a full-time court, at an annual cost of \$6.0 million.

Detention/Corrections Cost Estimate—Unlike cost estimates for Law Enforcement and Tribal Court programs, for which a universal community need is assumed, this analysis estimates costs only for existing BIA-funded Detention/Corrections centers; not every community needs a Detention/Correction center. Staffing and operational needs for correctional programs are based, to a large extent, on facility design rather than service population; therefore, estimated total costs are based on individual staffing models developed for each BIA-funded jail according to National Institute of Corrections standards in connection with building layout, type of prisoners housed, and programs and services offered.

Total Estimated Costs of PS&J Programs in Indian Country

Based on the cost estimates for PS&J programs, the total annual estimated need for PS&J programs in Indian Country is \$1.3 billion for Law Enforcement Programs, \$240.6 million for existing Detention Centers, and \$1.2 billion for Tribal Courts. For Law Enforcement Programs and Tribal Courts, about 55 percent of the total estimated cost is for non-P.L. 280 States, where Tribes and the Federal government have criminal jurisdiction, and 45 percent is for costs in P.L. 280 States—which include 373 of the 581 Tribal entities that the BIA PS&J funding supports—where State and local law enforcement have jurisdiction.

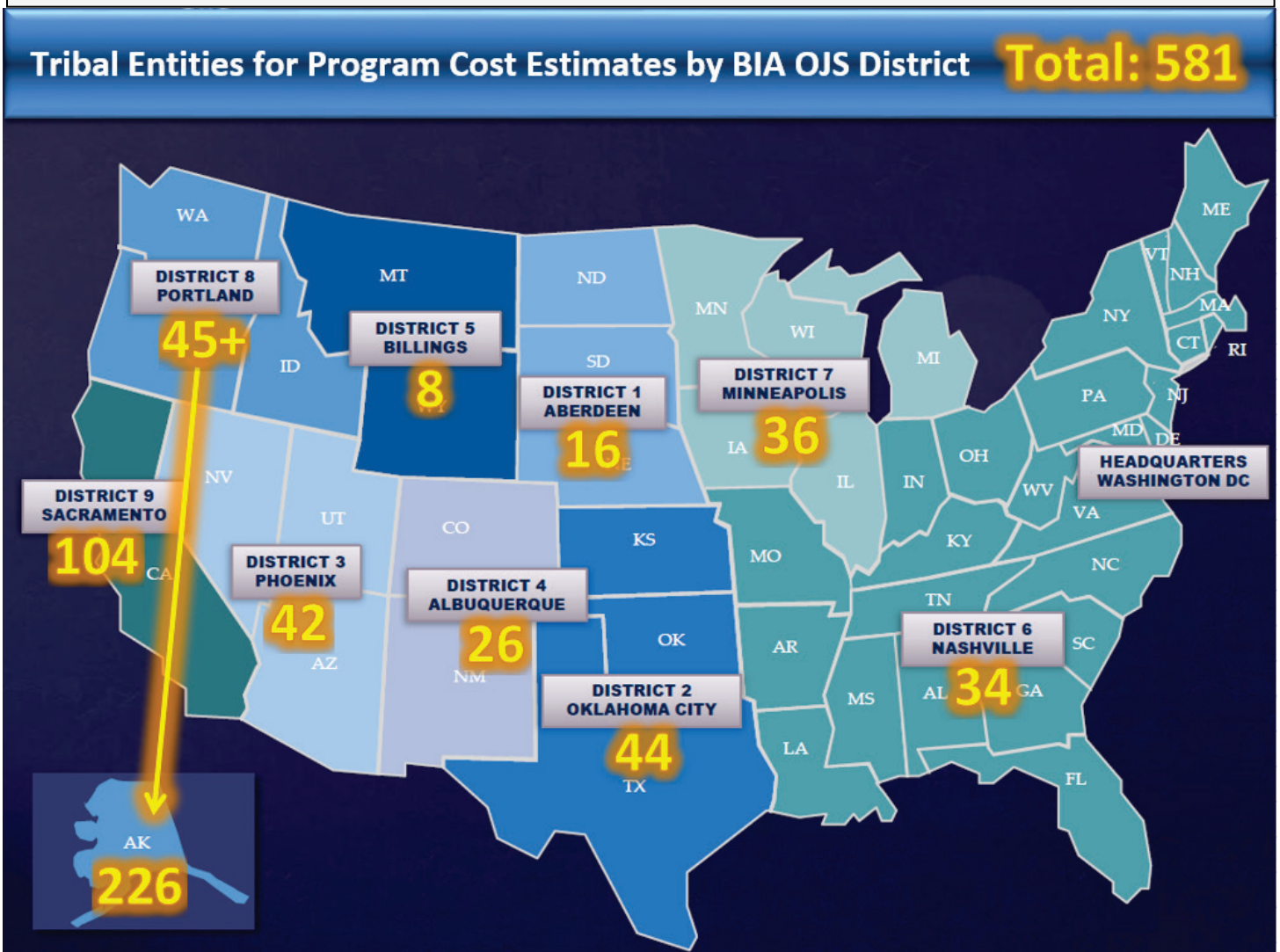
Table 3. Summary of Total Estimated Tribal Public Safety and Justice Program Costs

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate (Dollars in Thousands)						
			Law Enforcement		Detention/ Corrections (Existing Programs Only)		Tribal Courts		
			FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	
Non-Public Law 83-280 States									
Alabama	1	1,914	21	\$ 2,295	0	\$ -	20	\$ 2,000	
Arizona	20	118,566	516	\$ 59,025	494	\$ 45,450	514	\$ 51,404	
Colorado	2	3,444	42	\$ 4,590	46	\$ 4,579	40	\$ 4,000	
Connecticut	2	5,859	42	\$ 4,590	0	\$ -	40	\$ 4,000	
District of Columbia	0	0	0	\$ -	0	\$ -	0	\$ -	
Florida	2	4,269	28	\$ 3,052	0	\$ -	27	\$ 2,723	
Iowa	1	1,426	14	\$ 1,515	0	\$ -	13	\$ 1,320	
Idaho	4	15,726	71	\$ 8,010	64	\$ 5,568	70	\$ 7,043	
Kansas	4	2,957	55	\$ 6,059	0	\$ -	53	\$ 5,280	
Louisiana	4	1,985	35	\$ 3,787	0	\$ -	35	\$ 3,490	
Massachusetts	2	3,285	28	\$ 3,052	0	\$ -	27	\$ 2,723	
Maine	4	9,491	84	\$ 9,180	0	\$ -	80	\$ 8,000	
Michigan	12	33,432	223	\$ 24,465	35	\$ 2,930	214	\$ 21,446	
Mississippi	1	9,199	30	\$ 3,443	61	\$ 6,305	30	\$ 3,000	
Montana	7	46,435	193	\$ 21,938	374	\$ 34,625	190	\$ 18,999	
North Carolina	1	8,600	30	\$ 3,443	24	\$ 2,560	30	\$ 3,000	
North Dakota	4	35,463	132	\$ 15,185	124	\$ 11,337	130	\$ 12,999	
New Mexico	23	245,712	1,085	\$ 126,826	478	\$ 43,640	1,046	\$ 104,613	
Nevada	18	48,914	299	\$ 32,819	43	\$ 3,653	288	\$ 28,853	
New York	8	47,564	175	\$ 19,878	0	\$ -	174	\$ 17,446	
Oklahoma	38	471,738	1,867	\$ 217,831	51	\$ 4,483	1,819	\$ 181,889	
Rhode Island	1	2,046	21	\$ 2,295	0	\$ -	20	\$ 2,000	
South Carolina	1	1,847	21	\$ 2,295	0	\$ -	20	\$ 2,000	
South Dakota	8	71,095	289	\$ 33,288	417	\$ 39,812	279	\$ 27,860	
Tennessee	0	0	0	\$ -	0	\$ -	0	\$ -	
Texas	3	2,412	35	\$ 3,787	0	\$ -	34	\$ 3,363	
Utah	5	8,573	76	\$ 8,354	65	\$ 5,363	73	\$ 7,280	
Virginia	7	4,447	69	\$ 7,596	0	\$ -	69	\$ 6,937	
Washington	29	178,956	613	\$ 67,586	204	\$ 18,775	590	\$ 59,041	
Wyoming	2	12,312	55	\$ 6,238	18	\$ 1,610	53	\$ 5,320	
Totals - Non-P.L. 280 States	214	1,397,667	6,149	\$ 702,422	2,498	\$ 230,690	5,978	\$ 598,029	
Public Law 83-280 States									
Alaska	227	143,268	2,985	\$ 327,681	8	\$ 676	2,872	\$ 287,325	
California	104	281,112	2,028	\$ 222,996	0	\$ -	1,951	\$ 195,145	
Minnesota	12	42,210	216	\$ 23,661	46	\$ 4,011	207	\$ 20,682	
Nebraska	4	15,360	89	\$ 10,048	19	\$ 1,653	86	\$ 8,640	
Oregon	9	59,121	212	\$ 24,079	17	\$ 1,496	210	\$ 21,042	
Wisconsin	11	34,876	248	\$ 27,542	22	\$ 2,098	240	\$ 23,999	
Totals - P.L. 280 States	367	575,947	5,778	\$ 636,007	112	\$ 9,934	5,566	\$ 556,833	
All States									
Grand Totals - All States	581	1,973,614	11,927	\$ 1,338,429	2,610	\$ 240,624	11,544	\$ 1,154,862	

APPENDIX A: SUMMARY OF FINDINGS BY STATE

At the time this report was compiled, 573 federally recognized Tribes existed. The total number of Tribal entities in the summary tables (581) exceeds the number of federally recognized Tribes because there are more organizations controlled, sanctioned, or chartered by Tribes that are eligible under various statutes to do business with BIA than there are Tribes. Of the 581 entities, 214 tribal entities are in non-P.L. 280 States, and 367 Tribes are located in P.L. 280 States, primarily in Alaska and California.

Figure A-1. Tribal Entities for Program Cost Estimates by BIA OJS District, FY 2018



The following tables summarize data for BIA Public Safety and Justice programs by State. Separate tables are presented for Law Enforcement, Detention/Corrections, and Tribal Court programs. Each table shows by State the number of Tribes, the total estimated Tribal service population, the annual estimated FTEs and cost of those programs, and FTEs and BIA appropriations expended for FY 2018. The information is broken out by P.L. 280 States—where Tribes are subject to full or partial (concurrent) State criminal jurisdiction under P.L. 83-280—and non-P.L. 280 States—where the Federal Government and Tribes have primary jurisdiction. The BIA 2018 funding and FTE information are further broken down into data by service provider, whether by BIA or through Tribal 638 contracts or self-governance compacts.

Table A-1. BIA Law Enforcement Appropriations Expended and FTEs by State, FY 2018

Law Enforcement
(Dollars in Thousands)

Non-Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2018 Total FTE Funded			FY 2018 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alabama	1	1,914	21	\$ 2,295	0	6	6	\$ 642
Arizona	20	118,566	516	\$ 59,025	60	294	354	\$ 40,448
Colorado	2	3,444	42	\$ 4,590	19	14	33	\$ 3,639
Connecticut	2	5,859	42	\$ 4,590	0	8	8	\$ 855
District of Columbia	0	0	0	\$ -	8	0	8	\$ 2,899
Florida	2	4,269	28	\$ 3,052	0	19	19	\$ 2,037
Iowa	1	1,426	14	\$ 1,515	0	0	0	\$ -
Idaho	4	15,726	71	\$ 8,010	0	44	44	\$ 4,930
Kansas	4	2,957	55	\$ 6,059	0	13	13	\$ 1,382
Louisiana	4	1,985	35	\$ 3,787	0	16	16	\$ 1,777
Massachusetts	2	3,285	28	\$ 3,052	0	1	1	\$ 161
Maine	4	9,491	84	\$ 9,180	0	19	19	\$ 2,070
Michigan	12	33,432	223	\$ 24,465	0	47	47	\$ 5,203
Mississippi	1	9,199	30	\$ 3,443	0	16	16	\$ 1,821
Montana	7	46,435	193	\$ 21,938	41	114	155	\$ 17,590
North Carolina	1	8,600	30	\$ 3,443	0	6	6	\$ 692
North Dakota	4	35,463	132	\$ 15,185	64	25	89	\$ 10,191
New Mexico	23	245,712	1,085	\$ 126,826	116	371	486	\$ 56,841
Nevada	18	48,914	299	\$ 32,819	18	56	74	\$ 8,095
New York	8	47,564	175	\$ 19,878	0	9	9	\$ 991
Oklahoma	38	471,738	1,867	\$ 217,831	49	88	138	\$ 16,044
Rhode Island	1	2,046	21	\$ 2,295	0	2	2	\$ 259
South Carolina	1	1,847	21	\$ 2,295	0	0	0	\$ -
South Dakota	8	71,095	289	\$ 33,288	38	128	166	\$ 19,167
Tennessee	0	0	0	\$ -	6	0	6	\$ 1,005
Texas	3	2,412	35	\$ 3,787	0	6	6	\$ 638
Utah	5	8,573	76	\$ 8,354	18	0	18	\$ 2,008
Virginia	7	4,447	69	\$ 7,596	0	0	0	\$ -
Washington	29	178,956	613	\$ 67,586	5	122	127	\$ 13,987
Wyoming	2	12,312	55	\$ 6,238	27	2	29	\$ 3,360
Totals	214	1,397,667	6,149	\$ 702,422	469	1,426	1,895	\$ 218,732

Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2018 Total FTE Funded			FY 2018 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alaska	227	143,268	2,985	\$ 327,681	0	9	9	\$ 947
California	104	281,112	2,028	\$ 222,996	2	11	13	\$ 1,411
Minnesota	12	42,210	216	\$ 23,661	5	44	50	\$ 5,465
Nebraska	4	15,360	89	\$ 10,048	7	28	34	\$ 3,865
Oregon	9	59,121	212	\$ 24,079	0	21	21	\$ 2,352
Wisconsin	11	34,876	248	\$ 27,542	4	26	30	\$ 3,336
Totals	367	575,947	5,778	\$ 636,007	18	139	157	\$ 17,376

All States

Grand Totals	581	1,973,614	11,927	\$ 1,338,429	487	1,565	2,052	\$ 236,108
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BIA Direct Service Programs					487		487	\$ 94,287
Tribally Contracted/Compacted Programs						1,565	1,565	\$ 141,821

Table A-2. BIA Detention/Corrections Programs Appropriations Expended and FTEs by State, FY 2018

Detention/Corrections
(Dollars in Thousands)

Non-Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2018 Total FTE Funded			FY 2018 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alabama	1	1,914	0	\$ -	0	0	0	\$ -
Arizona	20	118,566	494	\$ 45,450	32	237	269	\$ 24,760
Colorado	2	3,444	46	\$ 4,579	28	5	33	\$ 3,306
Connecticut	2	5,859	0	\$ -	0	0	0	\$ -
District of Columbia	0	0	0	\$ -	0	0	0	\$ -
Florida	2	4,269	0	\$ -	0	0	0	\$ -
Iowa	1	1,426	0	\$ -	0	0	0	\$ -
Idaho	4	15,726	64	\$ 5,568	0	54	54	\$ 4,706
Kansas	4	2,957	0	\$ -	0	0	0	\$ -
Louisiana	4	1,985	0	\$ -	0	0	0	\$ -
Massachusetts	2	3,285	0	\$ -	0	0	0	\$ -
Maine	4	9,491	0	\$ -	0	0	0	\$ -
Michigan	12	33,432	35	\$ 2,930	0	15	15	\$ 1,245
Mississippi	1	9,199	61	\$ 6,305	0	33	33	\$ 3,406
Montana	7	46,435	374	\$ 34,625	62	87	149	\$ 13,797
North Carolina	1	8,600	24	\$ 2,560	0	10	10	\$ 1,051
North Dakota	4	35,463	124	\$ 11,337	38	65	103	\$ 9,383
New Mexico	23	245,712	478	\$ 43,640	10	142	152	\$ 13,879
Nevada	18	48,914	43	\$ 3,653	12	7	19	\$ 1,647
New York	8	47,564	0	\$ -	0	0	0	\$ -
Oklahoma	38	471,738	51	\$ 4,483	1	4	5	\$ 413
Rhode Island	1	2,046	0	\$ -	0	0	0	\$ -
South Carolina	1	1,847	0	\$ -	0	0	0	\$ -
South Dakota	8	71,095	417	\$ 39,812	52	165	217	\$ 20,678
Tennessee	0	0	0	\$ -	0	0	0	\$ -
Texas	3	2,412	0	\$ -	0	0	0	\$ -
Utah	5	8,573	65	\$ 5,363	5	10	15	\$ 1,241
Virginia	7	4,447	0	\$ -	0	0	0	\$ -
Washington	29	178,956	204	\$ 18,775	5	92	97	\$ 8,918
Wyoming	2	12,312	18	\$ 1,610	12	6	18	\$ 1,597
Totals	214	1,397,667	2,498	\$ 230,690	257	932	1,189	\$ 110,027

Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2018 Total FTE Funded			FY 2018 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alaska	227	143,268	8	\$ 676	0	0	0	\$ 12
California	104	281,112	0	\$ -	0	0	0	\$ -
Minnesota	12	42,210	46	\$ 4,011	0	20	20	\$ 1,763
Nebraska	4	15,360	19	\$ 1,653	4	10	14	\$ 1,240
Oregon	9	59,121	17	\$ 1,496	0	6	6	\$ 504
Wisconsin	11	34,876	22	\$ 2,098	1	9	10	\$ 929
Totals	367	575,947	112	\$ 9,934	5	45	50	\$ 4,448

All States

Grand Totals	581	1,973,614	2,610	\$ 240,624	262	977	1,239	\$ 114,475
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BIA Direct Service Programs	262	262	\$ 43,400
Tribally Contracted/Compacted Programs	977	977	\$ 71,075

Table A-3. BIA Tribal Courts Programs Appropriations Expended and FTE by State, FY 2018

Tribal Courts
(Dollars in Thousands)

Non-Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2018 Total FTE Funded			FY 2018 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alabama	1	1,914	20	\$ 2,000	0	0	0	\$ -
Arizona	20	118,566	514	\$ 51,404	1	43	44	\$ 4,350
Colorado	2	3,444	40	\$ 4,000	0	8	8	\$ 766
Connecticut	2	5,859	40	\$ 4,000	0	0	0	\$ 47
District of Columbia	0	0	0	\$ -	0	0	0	\$ -
Florida	2	4,269	27	\$ 2,723	0	0	0	\$ -
Iowa	1	1,426	13	\$ 1,320	0	0	0	\$ -
Idaho	4	15,726	70	\$ 7,043	0	7	7	\$ 669
Kansas	4	2,957	53	\$ 5,280	0	0	0	\$ -
Louisiana	4	1,985	35	\$ 3,490	0	2	2	\$ 183
Massachusetts	2	3,285	27	\$ 2,723	0	2	2	\$ 156
Maine	4	9,491	80	\$ 8,000	0	4	4	\$ 444
Michigan	12	33,432	214	\$ 21,446	0	2	2	\$ 214
Mississippi	1	9,199	30	\$ 3,000	0	3	3	\$ 264
Montana	7	46,435	190	\$ 18,999	0	38	38	\$ 3,783
North Carolina	1	8,600	30	\$ 3,000	0	6	6	\$ 640
North Dakota	4	35,463	130	\$ 12,999	1	26	27	\$ 2,751
New Mexico	23	245,712	1,046	\$ 104,613	6	78	84	\$ 8,405
Nevada	18	48,914	288	\$ 28,853	0	9	9	\$ 924
New York	8	47,564	174	\$ 17,446	0	0	0	\$ 21
Oklahoma	38	471,738	1,819	\$ 181,889	6	12	18	\$ 1,819
Rhode Island	1	2,046	20	\$ 2,000	0	0	0	\$ -
South Carolina	1	1,847	20	\$ 2,000	0	0	0	\$ -
South Dakota	8	71,095	279	\$ 27,860	0	40	40	\$ 4,042
Tennessee	0	0	0	\$ -	0	0	0	\$ -
Texas	3	2,412	34	\$ 3,363	0	3	3	\$ 294
Utah	5	8,573	73	\$ 7,280	0	2	2	\$ 187
Virginia	7	4,447	69	\$ 6,937	0	0	0	\$ -
Washington	29	178,956	590	\$ 59,041	0	28	28	\$ 2,833
Wyoming	2	12,312	53	\$ 5,320	6	11	17	\$ 1,719
Totals	214	1,397,667	5,978	\$ 598,029	20	324	344	\$ 34,511

Public Law 83-280 States

State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2018 Total FTE Funded			FY 2018 Appropriations Expended
			FTE	Cost	BIA	Tribal	Total	
Alaska	227	143,268	2,872	\$ 287,325	0	110	110	\$ 11,015
California	104	281,112	1,951	\$ 195,145	0	29	29	\$ 2,884
Minnesota	12	42,210	207	\$ 20,682	0	9	9	\$ 907
Nebraska	4	15,360	86	\$ 8,640	0	4	4	\$ 379
Oregon	9	59,121	210	\$ 21,042	0	9	9	\$ 872
Wisconsin	11	34,876	240	\$ 23,999	0	21	21	\$ 2,095
Totals	367	575,947	5,566	\$ 556,833	0	182	182	\$ 18,152

All States

Grand Totals	581	1,973,614	11,544	\$ 1,154,862	20	506	526	\$ 52,663
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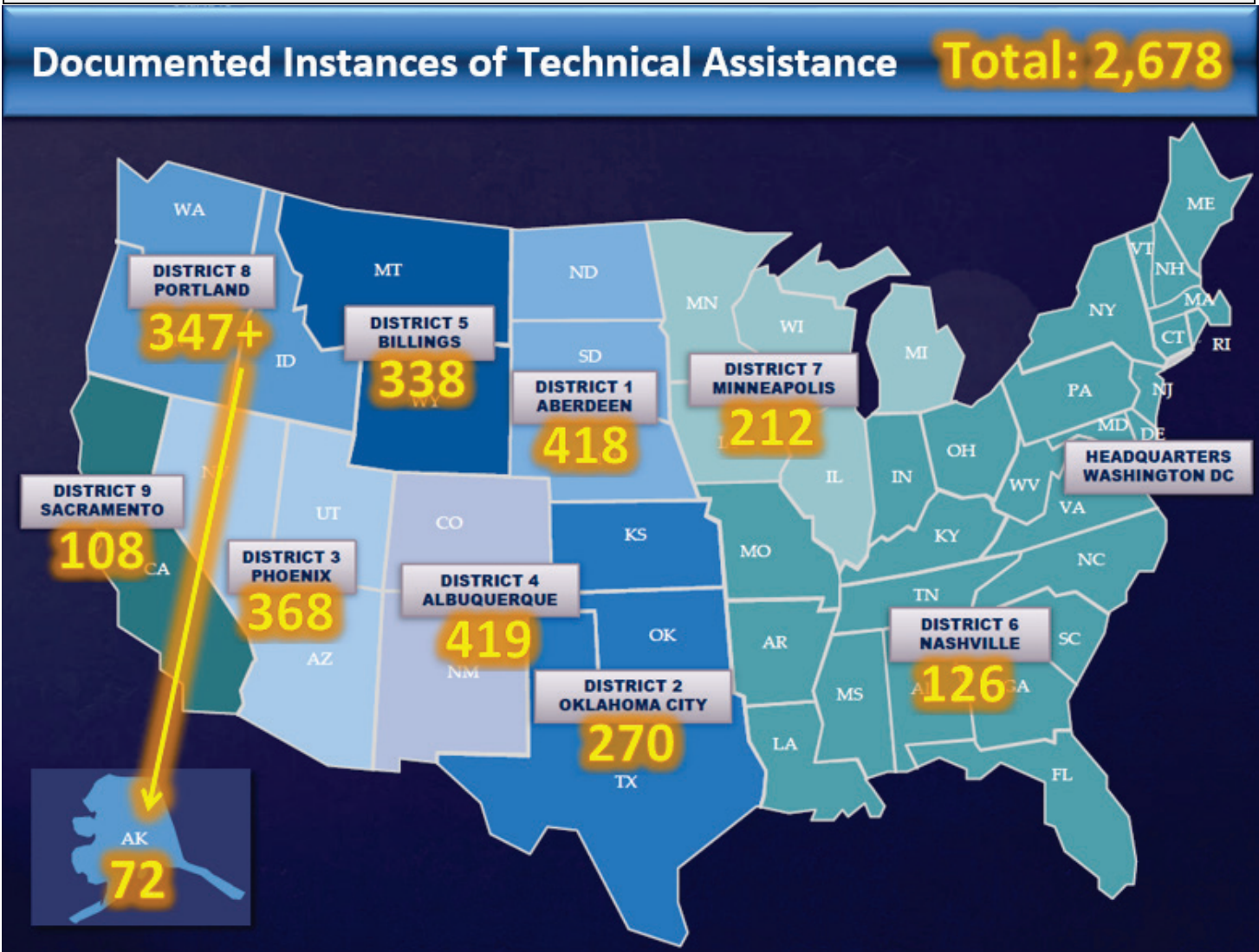


BIA Direct Service Programs					20		20	\$ 6,637
Tribally Contracted/Compacted Programs						506	506	\$ 46,026

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

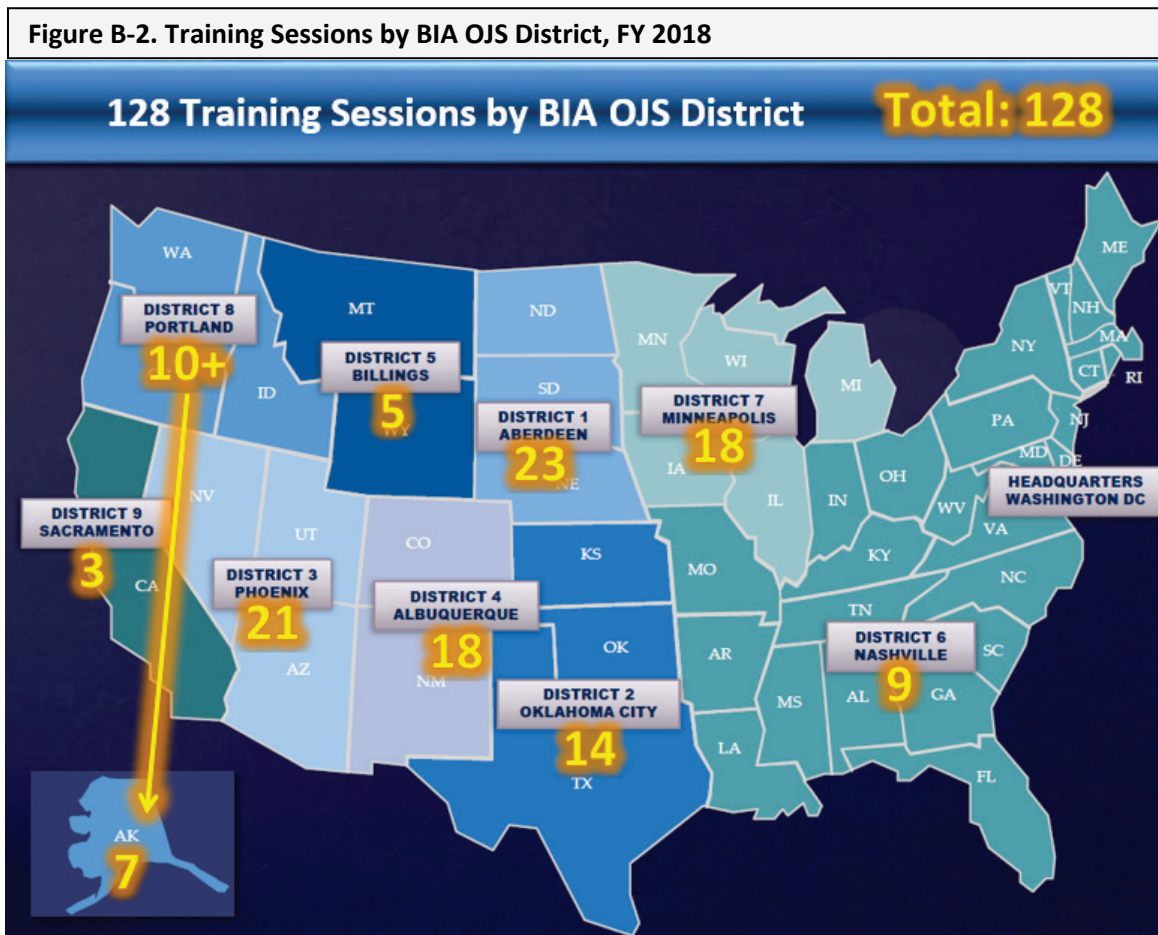
In accordance with Section 211 (b)(17) of the TLOA, the BIA Office of Justice Services maintains records documenting technical assistance and training provided to Tribes. With regard to technical assistance, various forms of communication are included, such as formal meetings, written correspondence, conference and phone calls, and emails. The data are summarized below by BIA OJS District, totaling 2,678 instances of technical assistance during FY 2018.

Figure B-1. Documented Instances of Technical Assistance, FY 2018



The BIA Office of Justice Services, through the U.S. Indian Police Academy and the Office of Tribal Justice Support, completed or funded 128 training sessions during FY 2018. Overall, 5,028 Tribal and Federal public safety personnel received training during the year. The number of personnel trained by type and training sessions by location are summarized below.

Table B-1. BIA PS&J Training by Type, FY 2018		Individuals Trained
Training by Type		FY 2018
Indian Police Academy		
	Basic – Police Officer	120
	Basic – Corrections Officer	155
	Basic – Telecommunications Officer	40
	Basic – Criminal Investigator	17
	Advanced Courses (Artesia, NM)	1,032
	Advanced Courses (Glynco, GA)	49
	Advanced Courses (Exported to 9 OJS Districts)	1,277
Tribal Justice Support		
	VAWA-Specific Training for court personnel	1,296
	Child Welfare-Specific Training	124
	Opioid/Drug Court-Specific Training	478
	Other Tribal Court Training	270
Human Trafficking (Partnership w/National Indian Gaming Com.)		170
Totals		5,028



APPENDIX C: TRIBAL LAW AND ORDER ACT REPORTING REQUIREMENTS

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

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

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