

Report to the Congress on Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2019



Bureau of Indian Affairs,
Office of Justice Services
October, 2021



Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2019

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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 2019.

2019 BIA Spending:

- Law Enforcement: \$238.7 million
- Detention/Corrections: \$116.8 million
- Tribal Courts: \$54.4 million, including court assessments and technical assistance

2019 Staffing, BIA actual and Tribal estimated:

- Law Enforcement: 2,088 FTE
- Detention/Corrections: 1,281 FTE
- Tribal Courts: 543 FTE

2019 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 2019 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: 2,677 documented instances
- Training: 141 sessions serving 5,798 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 2019, as well as annual cost estimates, for PS&J programs. The spending displayed may vary slightly from enacted amounts due to reprogramming of funds by BIA or Tribes.

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. 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.

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.

To ensure consistency of data, this report uses models to estimate annual program costs and FTE needs across the board. BIA efforts to use a web-based data collection survey tool accessible to Tribes on the BIA webpage, www.bia.gov, yielded information that varied substantially in degrees of completeness and proved difficult to verify.

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.

III. BIA FUNDING AND STAFFING

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. This report uses the percentage of need funded (calculated at the State level) 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.

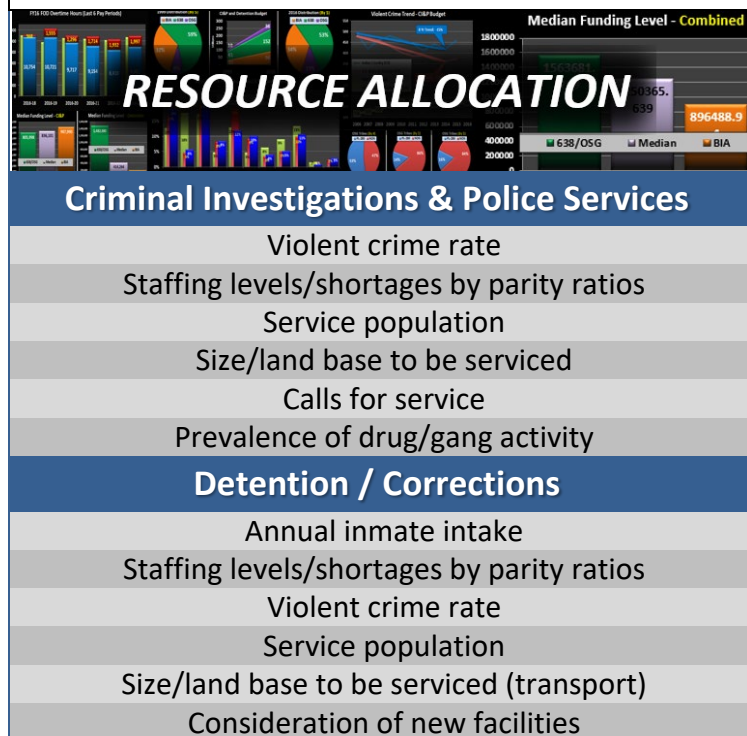
Methodology for Disbursing PS&J Funding

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.”

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



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.

Table 1. Summary of Funding and FTE for BIA-funded Public Safety and Justice Programs, FY 2019

Program / Operator	FY 2019	
	FTE	FY 2019 Appropriations Expended (\$000)
Law Enforcement:		
BIA Direct Services	459	87,705
Tribally Contracted/Compacted Programs	1,629	151,019
Total Law Enforcement	2,088	238,724
Detention / Corrections:		
BIA Direct Services	249	42,244
Tribally Contracted/Compacted Programs	1,032	74,548
Total Detention / Corrections	1,281	116,792
Tribal Courts:		
BIA Direct Services	13	7,138
Tribally Contracted/Compacted Programs	530	47,239
Total Tribal Courts	543	54,377
PS&J Programs:		
BIA Direct Services	721	137,087
Tribally Contracted/Compacted Programs	3,191	272,806
Total PS&J Programs	3,912	409,893



Disbursement of PS&J Funding

Law Enforcement Programs—In 2019, BIA funding obligated for Law Enforcement programs reached \$238.7 million (see Table 1). About 37 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 2019, BIA funding for Detention/Corrections programs reached \$116.8 million. Roughly 36 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 2019, BIA funding for the Tribal Courts program reached \$54.4 million, including court operations, court assessments, and technical assistance.

Around 87 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 2019, BIA-operated Law Enforcement programs employed 459 FTEs, Detention/Corrections programs employed 249 FTEs, and the Tribal Courts budget line item supported a staff of 13 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 2019 to the budget models used for this report enables us to estimate the Tribal FTEs funded by BIA for FY 2019. The resulting figures are 1,629 Tribal FTEs for Law Enforcement, 1,032 for Detention/Corrections, and 530 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

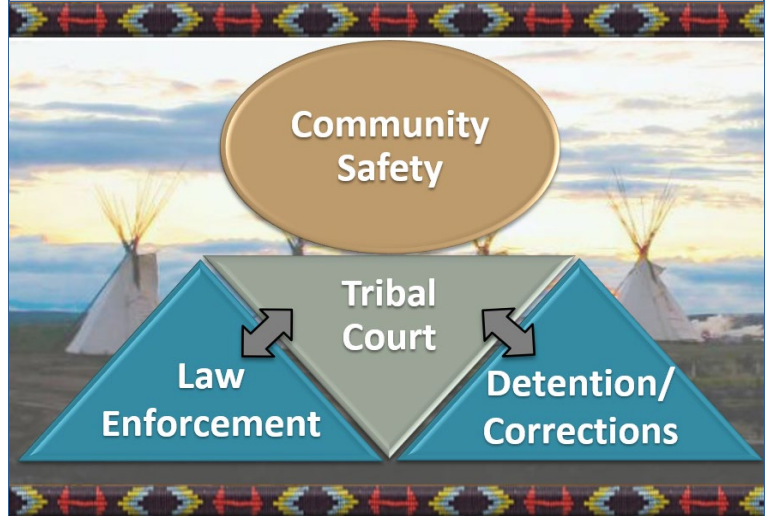
The cost estimates for Law Enforcement programs and Tribal Courts assume that all Tribes of a similar size have Law Enforcement agencies or Tribal Courts with the same composition. Law Enforcement programs and Tribal Courts are usually sized to meet the needs of a population range. Population data in 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 program	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 program	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, Detention/Corrections, and Tribal Courts, about 56 percent of the total estimated cost is for non-P.L. 280 States, where Tribes and the Federal government have criminal jurisdiction, and 44 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.

Figure 2. Graph of Total PS&J Estimated Program Costs by State

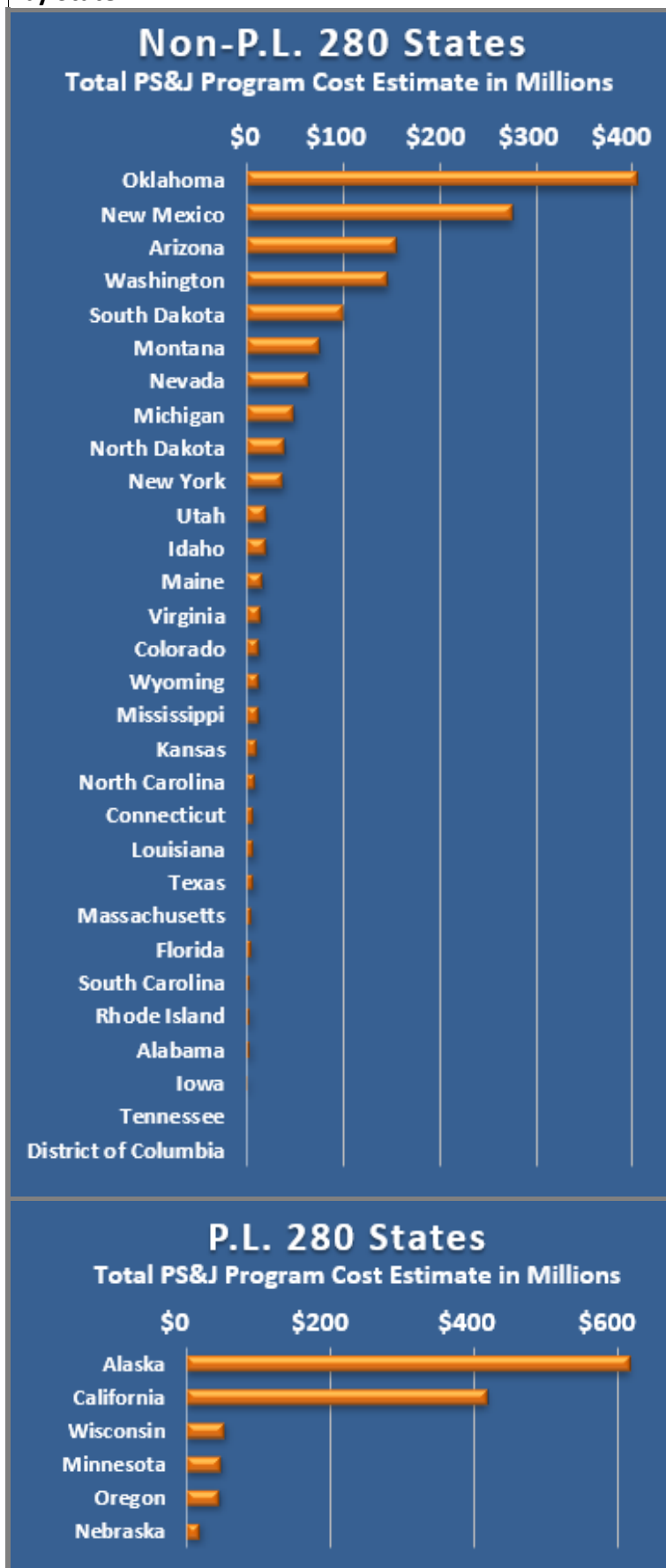


Table 3. Summary of Total Estimated Tribal Public Safety and Justice Program Costs

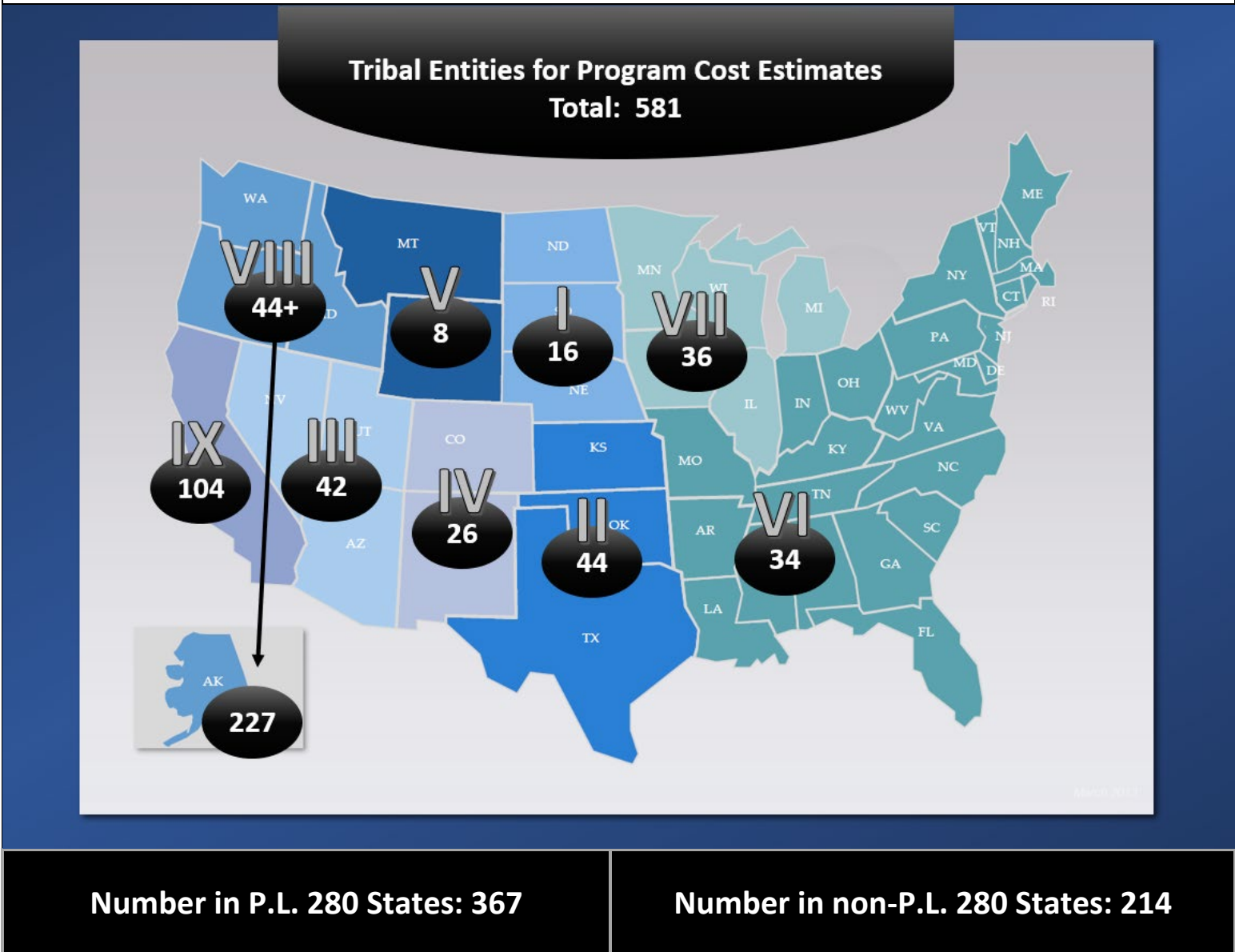
State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate (Dollars in Thousands)					
			Law Enforcement		Detention/Corrections (Existing Programs Only)		Tribal Courts	
			FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
Non-Public Law 83-280 States:								
Alabama	1	1,914	21	2,295	0	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	0	40	4,000
District of Columbia	0	0	0	0	0	0	0	0
Florida	2	4,269	28	3,052	0	0	27	2,723
Iowa	1	1,426	14	1,515	0	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	0	53	5,280
Louisiana	4	1,985	35	3,787	0	0	35	3,490
Massachusetts	2	3,285	28	3,052	0	0	27	2,723
Maine	4	9,491	84	9,180	0	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	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	0	20	2,000
South Carolina	1	1,847	21	2,295	0	0	20	2,000
South Dakota	8	71,095	289	33,288	417	39,812	279	27,860
Tennessee	0	0	0	0	0	0	0	0
Texas	3	2,412	35	3,787	0	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	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	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

Note: There were 574 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes. Totals may not add due to rounding.

APPENDIX A: SUMMARY OF FINDINGS BY STATE

At the time this report was compiled, 574 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 2019



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 2019. 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 2019 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 2019

Law Enforcement (Dollars in Thousands)								
State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2019 Total FTE Funded			FY 2019 Appropriations Expended
			FTE	(\$000)	BIA	Tribal	Total	(\$000)
Non-Public Law 83-280 States:								
Alabama	1	1,914	21	2,295	0	6	6	683
Arizona	20	118,566	516	59,025	57	318	375	42,903
Colorado	2	3,444	42	4,590	15	17	32	3,462
Connecticut	2	5,859	42	4,590	0	8	8	880
District of Columbia	0	0	0	0	8	0	8	1,164
Florida	2	4,269	28	3,052	0	21	21	2,259
Iowa	1	1,426	14	1,515	0	0	0	0
Idaho	4	15,726	71	8,010	0	45	45	5,021
Kansas	4	2,957	55	6,059	0	15	15	1,643
Louisiana	4	1,985	35	3,787	0	19	19	2,040
Massachusetts	2	3,285	28	3,052	0	2	2	189
Maine	4	9,491	84	9,180	0	19	19	2,047
Michigan	12	33,432	223	24,465	0	51	51	5,594
Mississippi	1	9,199	30	3,443	0	16	16	1,868
Montana	7	46,435	193	21,938	45	100	145	16,455
North Carolina	1	8,600	30	3,443	0	6	6	744
North Dakota	4	35,463	132	15,185	59	29	88	10,033
New Mexico	23	245,712	1,085	126,826	113	384	497	58,124
Nevada	18	48,914	299	32,819	16	57	73	7,993
New York	8	47,564	175	19,878	0	9	9	1,012
Oklahoma	38	471,738	1,867	217,831	47	93	140	16,344
Rhode Island	1	2,046	21	2,295	0	3	3	289
South Carolina	1	1,847	21	2,295	0	0	0	0
South Dakota	8	71,095	289	33,288	34	137	171	19,695
Tennessee	0	0	0	0	4	0	4	868
Texas	3	2,412	35	3,787	0	7	7	724
Utah	5	8,573	76	8,354	16	0	16	1,808
Virginia	7	4,447	69	7,596	0	0	0	0
Washington	29	178,956	613	67,586	5	125	130	14,356
Wyoming	2	12,312	55	6,238	23	0	23	2,570
Totals – Non-P.L. 280 States	214	1,397,667	6,149	702,422	442	1,487	1,929	220,768
Public Law 83-280 States:								
Alaska	227	143,268	2,985	327,681	0	8	8	880
California	104	281,112	2,028	222,996	2	10	12	1,305
Minnesota	12	42,210	216	23,661	6	47	53	5,811
Nebraska	4	15,360	89	10,048	5	28	33	3,740
Oregon	9	59,121	212	24,079	0	21	21	2,400
Wisconsin	11	34,876	248	27,542	4	30	34	3,820
Totals – P.L. 280 States	367	575,947	5,778	636,007	17	144	161	17,956
All States								
Grand Totals – All States	581	1,973,614	11,927	1,338,429	459	1,629	2,088	238,724
					459		459	87,705
						1,629	1,629	151,019

Note: There were 574 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes. Totals may not add due to rounding.

Table A-2. BIA Detention/Corrections Programs Appropriations Expended and FTEs by State, FY 2019

Detention / Corrections (Dollars in Thousands)								
State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2019 Total FTE Funded			FY 2019 Appropriations Expended
			FTE	(\$000)	BIA	Tribal	Total	(\$000)
Non-Public Law 83-280 States:								
Alabama	1	1,914	0	0	0	0	0	0
Arizona	20	118,566	494	45,450	28	240	268	24,282
Colorado	2	3,444	46	4,579	25	8	33	3,158
Connecticut	2	5,859	0	0	0	0	0	0
District of Columbia	0	0	0	0	0	0	0	0
Florida	2	4,269	0	0	0	0	0	0
Iowa	1	1,426	0	0	0	0	0	0
Idaho	4	15,726	64	5,568	0	54	54	4,601
Kansas	4	2,957	0	0	0	0	0	0
Louisiana	4	1,985	0	0	0	0	0	0
Massachusetts	2	3,285	0	0	0	0	0	0
Maine	4	9,491	0	0	0	0	0	0
Michigan	12	33,432	35	2,930	0	14	14	1,199
Mississippi	1	9,199	61	6,305	0	33	33	3,375
Montana	7	46,435	374	34,625	69	93	162	14,910
North Carolina	1	8,600	24	2,560	0	10	10	1,032
North Dakota	4	35,463	124	11,337	31	71	102	9,083
New Mexico	23	245,712	478	43,640	9	141	150	13,564
Nevada	18	48,914	43	3,653	13	7	20	1,673
New York	8	47,564	0	0	0	0	0	0
Oklahoma	38	471,738	51	4,483	0	4	4	315
Rhode Island	1	2,046	0	0	0	0	0	0
South Carolina	1	1,847	0	0	0	0	0	0
South Dakota	8	71,095	417	39,812	47	168	215	20,252
Tennessee	0	0	0	0	0	0	0	0
Texas	3	2,412	0	0	0	0	0	0
Utah	5	8,573	65	5,363	6	14	20	1,638
Virginia	7	4,447	0	0	0	0	0	0
Washington	29	178,956	204	18,775	5	92	97	8,836
Wyoming	2	12,312	18	1,610	11	5	16	1,426
Totals – Non-P.L. 280 States	214	1,397,667	2,498	230,690	244	954	1,198	109,344
Public Law 83-280 States:								
Alaska	227	143,268	8	676	0	0	0	12
California	104	281,112	0	0	0	0	0	0
Minnesota	12	42,210	46	4,011	0	53	53	4,786
Nebraska	4	15,360	19	1,653	4	10	14	1,220
Oregon	9	59,121	17	1,496	0	6	6	515
Wisconsin	11	34,876	22	2,098	1	9	10	915
Totals – P.L. 280 States	367	575,947	112	9,934	5	78	83	7,448
All States								
Grand Totals – All States	581	1,973,614	2,610	240,624	249	1,032	1,281	116,792
					249		249	42,244
						1,032	1,032	74,548

Note: There were 574 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes. Totals may not add due to rounding.

Table A-3. BIA Tribal Courts Programs Appropriations Expended and FTE by State, FY 2019

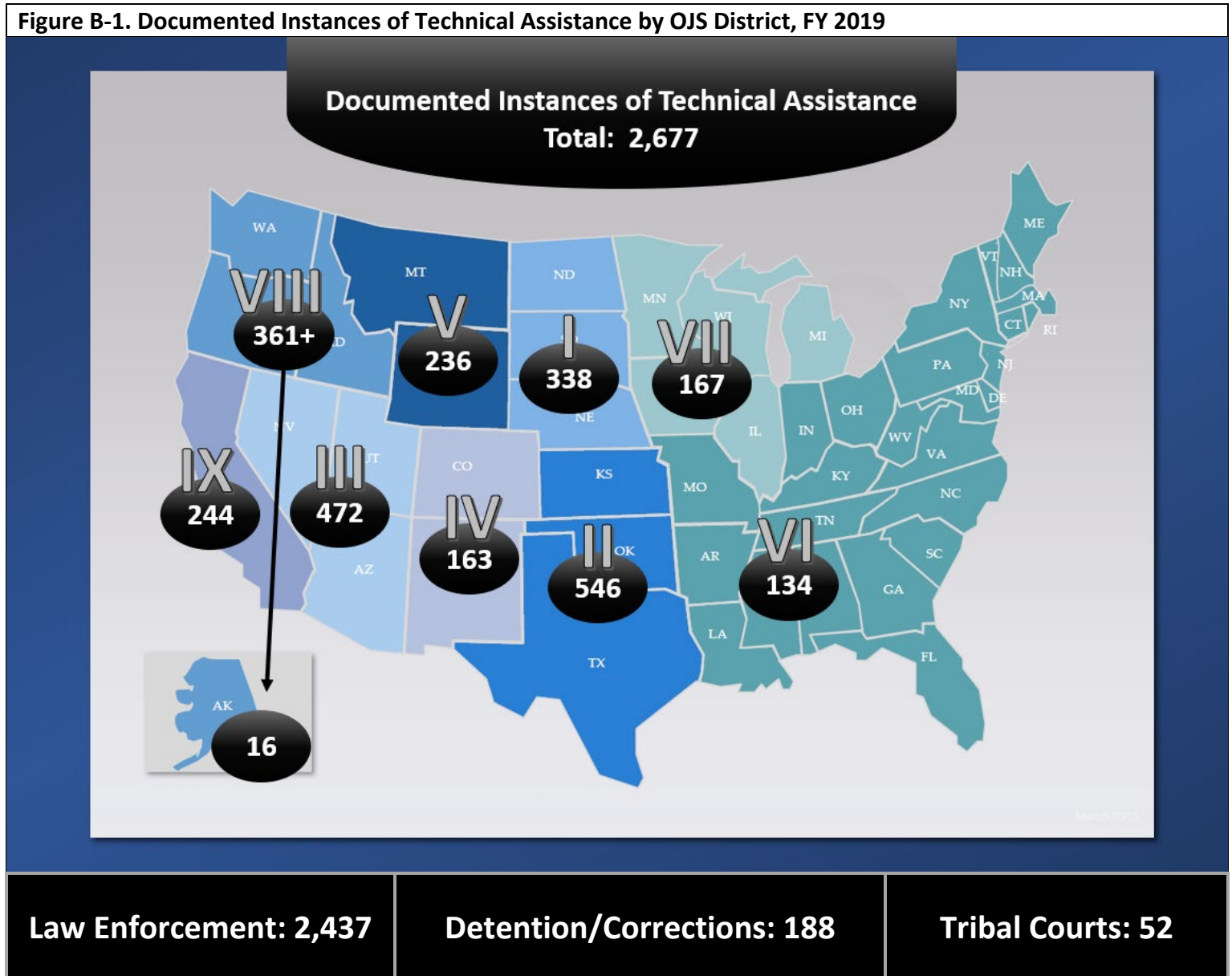
Tribal Courts (Dollars in Thousands)								
State	Number of Tribes	Total Estimated Indian Service Population	Annual Program FTE & Cost Estimate		FY 2019 Total FTE Funded			FY 2019 Appropriations Expended
			FTE	(\$000)	BIA	Tribal	Total	(\$000)
Non-Public Law 83-280 States:								
Alabama	1	1,914	20	2,000	0	0	0	0
Arizona	20	118,566	514	51,404	1	41	42	4,221
Colorado	2	3,444	40	4,000	0	8	8	787
Connecticut	2	5,859	40	4,000	0	0	0	0
District of Columbia	0	0	0	0	0	0	0	0
Florida	2	4,269	27	2,723	0	0	0	0
Iowa	1	1,426	13	1,320	0	0	0	1
Idaho	4	15,726	70	7,043	0	8	8	823
Kansas	4	2,957	53	5,280	0	4	4	430
Louisiana	4	1,985	35	3,490	0	0	0	43
Massachusetts	2	3,285	27	2,723	0	0	0	0
Maine	4	9,491	80	8,000	0	2	2	187
Michigan	12	33,432	214	21,446	0	2	2	199
Mississippi	1	9,199	30	3,000	0	3	3	293
Montana	7	46,435	190	18,999	0	41	41	4,066
North Carolina	1	8,600	30	3,000	0	7	7	711
North Dakota	4	35,463	130	12,999	1	24	25	2,487
New Mexico	23	245,712	1,046	104,613	5	37	42	4,238
Nevada	18	48,914	288	28,853	0	7	7	748
New York	8	47,564	174	17,446	0	0	0	23
Oklahoma	38	471,738	1,819	181,889	6	56	62	6,174
Rhode Island	1	2,046	20	2,000	0	0	0	0
South Carolina	1	1,847	20	2,000	0	0	0	0
South Dakota	8	71,095	279	27,860	0	48	48	4,779
Tennessee	0	0	0	0	0	0	0	0
Texas	3	2,412	34	3,363	0	0	0	4
Utah	5	8,573	73	7,280	0	2	2	208
Virginia	7	4,447	69	6,937	0	0	0	0
Washington	29	178,956	590	59,041	0	34	34	3,370
Wyoming	2	12,312	53	5,320	0	19	19	1,945
Totals – Non-P.L. 280 States	214	1,397,667	5,978	598,029	13	343	356	35,737
Public Law 83-280 States:								
Alaska	227	143,268	2,872	287,325	0	122	122	12,165
California	104	281,112	1,951	195,145	0	23	23	2,289
Minnesota	12	42,210	207	20,682	0	16	16	1,566
Nebraska	4	15,360	86	8,640	0	4	4	418
Oregon	9	59,121	210	21,042	0	7	7	744
Wisconsin	11	34,876	240	23,999	0	15	15	1,458
Totals – P.L. 280 States	367	575,947	5,566	556,833	0	187	187	18,640
All States								
Grand Totals – All States	581	1,973,614	11,544	1,154,862	13	530	543	54,377
					13		13	7,138
						530	530	47,239

Note: There were 574 federally recognized tribes at the time this report was compiled. The total number of tribal entities in the summary tables (581) exceeds the number of federally recognized tribes because there are more organizations controlled, sanctioned, or chartered by tribes that are eligible under various statutes to do business with BIA than there are tribes. This number may vary by year depending upon the structure of self-determination agreements utilized by tribes. Totals may not add due to rounding.

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

In accordance with Section 211 (b)(17) of the TLOA, the BIA Office of Justice Services maintains records documenting technical assistance and training provided to Tribes. With regard to technical assistance, various forms of communication are included, such as formal meetings, written correspondence, conference and phone calls, and emails. The data are summarized below by BIA OJS District and by program, totaling 2,677 instances of technical assistance during FY 2019.

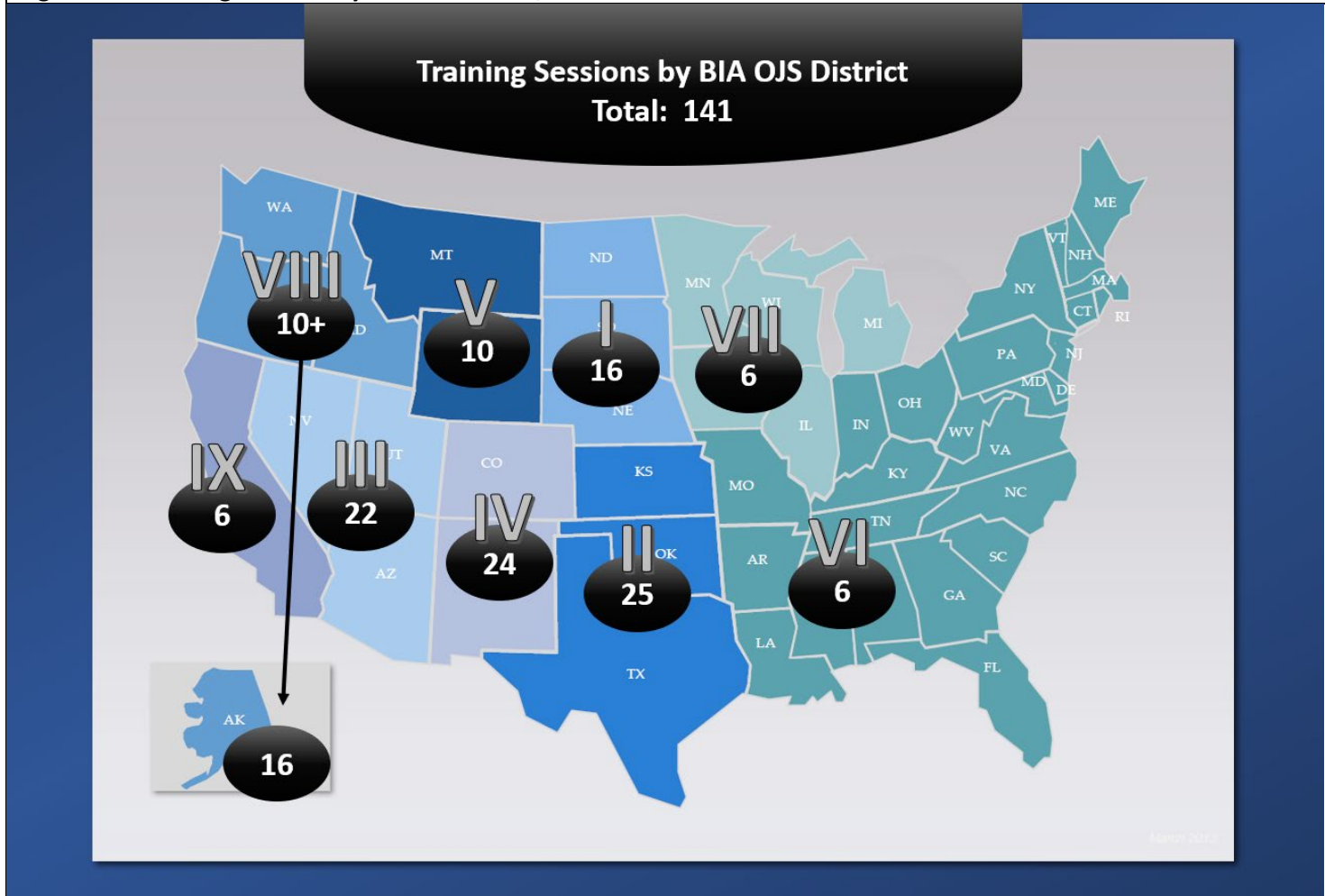
Figure B-1. Documented Instances of Technical Assistance by OJS District, FY 2019



The BIA Office of Justice Services, through the U.S. Indian Police Academy and the Office of Tribal Justice Support, completed or funded 141 training sessions during FY 2019. Overall, 5,798 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 2019	
Training by Type	Individuals Trained FY 2019
Indian Police Academy	
Basic- Police Officer	128
Basic- Corrections Officer	124
Basic- Telecommunications Officer	26
Basic- Criminal Investigator	25
Advanced Courses (Artesia, NM)	175
Advanced Courses (Glynco, GA)	21
Advanced Courses (Exported to 9 OJS Districts)	1,896
Tribal Justice Support	
VAWA-Specific Training for court personnel	1,497
Child Welfare-Specific Training	299
Opioid/Drug Court-Specific Training	1,027
Other Tribal Court Training	580
Totals	5,798

Figure B-2. Training Sessions by BIA OJS District, FY 2019



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.