

The Department of Justice (DOJ) Office of the Inspector General (OIG) announced today the release of a report examining four grants totaling \$70 million to the Navajo Division of Public Safety (NDPS). The grants, which were awarded by the DOJ's Office of Justice Programs (OJP) in 2008 and 2009, were intended to fund the design and construction of tribal justice facilities for the incarceration and rehabilitation of adult offenders subject to tribal jurisdiction. The OIG's audit identified over \$35 million in questionable uses of grant funding, as well as concerns relating to compliance with grant requirements. Most of the questioned costs were related to the construction of correctional facilities in Tuba City and Kayenta, Arizona, that were built with capacities that were at least 250 percent larger than needed, and at an excess cost of more than \$32 million. We further found that OJP possessed the information necessary to identify the significant changes that expanded these projects' scope but did not take sufficient action to prevent the questionable spending.

Specifically, we found that in Tuba City, NDPS constructed a 132-bed correctional facility with a \$38.6 million grant, even though its 2007 master plan called for a 48-bed correctional facility at a cost of \$18.2 million, and even though the average monthly jail occupancy for Tuba City from 2008 through 2014 was between 14 and 22 inmates, with a high of 49 inmates. Similarly, we found that in Kayenta, NDPS built an 80-bed correctional facility and a police station with a \$31.7 million grant, even though its 2007 master plan stated a need for a 32-bed correctional facility and law enforcement areas at a cost of \$20 million, and even though the average monthly jail occupancy for Kayenta from 2008 through 2014 was between 7 and 11 inmates, with a high of 24 inmates.

The excessive size of the correctional facilities also resulted in increased costs for operations and maintenance staffing, which are significantly funded through the Department of the Interior's Bureau of Indian Affairs (BIA). However, BIA told us that, due to funding constraints, it can only provide 40 percent of requested funding for tribal corrections officers for the two facilities.

According to the most recent information provided to the OIG, the Kayenta facility has been completed, but it has not yet been opened due to construction issues. The Tuba City facility has opened, but it only has staff to support 2 of the 11 constructed housing units for a maximum incarceration capacity of 24, thereby leaving it 82 percent vacant.

The report released today also identified other concerns with NDPS's management of the four grants we audited, including that NDPS did not check the suspension and debarment status of contractors paid with grant funds and did not submit accurate financial reports to OJP for three of the four grants.

Today's report makes nine recommendations to the OJP to remedy over \$35 million in dollar-related findings and assist NDPS in improving its management of DOJ grants. OJP agreed with seven of the nine recommendations, but only partially agreed with the OIG's recommendation to remedy \$32 million associated with the Tuba City and Kayenta facilities, and disagreed with a recommendation to remedy \$290,116 in unnecessary planning

grants. The Navajo Nation, which provided a response on behalf of the NDPS, agreed with three of our recommendations, and disagreed in whole or in part with recommendations regarding planning for detention space and specific questioned costs covering facility construction.

The report can be found on the OIG's website at the following link: <https://oig.justice.gov/reports/2015/g6015015.pdf>.