



THE NAVAJO NATION

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FY 2017 First Quarter Report
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I. EXECUTIVE SUMMARY

The Office of the Attorney General (“OAG”) oversees the Department of Justice (“DOJ”), the Navajo-Hopi Legal Services Program, and the Office of the Prosecutor/Juvenile Justice.

A. Office of the Attorney General

The Office of the Attorney General consists of the Attorney General (“AG”), the Acting Deputy Attorney General (“DAG”), and five Support Staff. This quarter, the Office of the President and Vice President appointed Rodgerick T. Begay to serve as Deputy Attorney General. We are very pleased with this appointment. Rod has served as the *Acting* Deputy Attorney General since May 2015, and the Department has benefited tremendously from this. Rod brings with him tremendous knowledge of Navajo law and significant management skills. The Department is hopeful that he will be confirmed by the Navajo Nation Council during their Winter Session.

OAG continues to hold weekly “AAG meetings” with all Assistant Attorney Generals (“AAG”), the Chief Prosecutor, and the Navajo-Hopi Legal Services Program to provide updates on each of their respective Unit/Program/Office’s work and accomplishments. These meetings facilitate better coordination within DOJ and across the entities that OAG supervises. This also allows the AG and DAG an opportunity to weigh in on important issues.

The AG also conducts a separate monthly Public Safety Summit to coordinate better delivery of public safety services on the Nation. The team is planning a week-long Summit for January to develop a long-term public safety system plan for the Nation. The AG is also holding monthly meetings to draft revisions to our Criminal Code. This quarter the team completed draft white collar crime revisions to the Criminal Code, which will be finalized and submitted for comment next month. This work is done in collaboration with the Division of Public Safety, the Judicial Branch, the Office of the Prosecutor, the Office of the Public Defender, and the Kayenta Township. Members of the Law & Order Committee, the Sexual Assault Prevention Task Force, and OPVP are also invited to these meetings.

The DAG or an AAG attends all Naa’bik’iyati’ Committee meetings and the AG or the DAG attend all Navajo Nation Council regular and special meetings. This quarter, there were four Naa’bik’iyati’ Committee meetings and three Council sessions, including the Fall Session—all of which were attended by the AG, the DAG, or an AAG. Our AAGs also attend most Council Standing Committee meetings.

Our strong recruiting accomplishments in FY16 have stalled because of the lack of sufficient appropriations for DOJ for FY17. Nonetheless, in this quarter we hired a Senior Programmer Specialist to assist with OAG’s IT needs. We anticipate consideration and support from OPVP and Council in the 2nd Quarter to address DOJ’s budget shortfall.

B. The Department of Justice

DOJ includes the following six Units: 1) Litigation & Employment Unit; 2) Human Services/Government Unit; 3) Natural Resources Unit; 4) Economic/Community Development Unit; 5) Tax & Finance Unit; and 6) Water Rights Unit. Each Unit is led by an AAG who directly supervises the Unit Attorneys, Advocates, and Support Staff. Although the Units are assigned specific Executive Branch Division clients, many legal matters are worked on collaboratively across Units to address the legal needs of all governmental entities within all three Branches of Navajo Government, including the 110 Navajo Chapter governments.

During this quarter, DOJ received 550 Requests for Legal Services (“RFS”) and 164 document review requests. We completed 454 of these this quarter. These numbers do not include the time our Attorneys and Advocates spend attending Council/Committee/Subcommittee/Taskforce/and other Client-related meetings, court appearances, preparing for litigation, and addressing all communications via phone calls, correspondence, and emails. This also does not include providing assistance to the entire Navajo Nation Three Branch Government and the 110 Chapter governments on matters not recorded as RFS or 164 document reviews.

The Litigation & Employment Unit (“LEU”) consists of 4 Attorneys, 1 Advocate, and 1 Support Staff. LEU represents the Nation in employment and labor matters. LEU also represents the Nation in certain other litigation matters pending before federal, state, and Navajo Courts. This quarter, LEU assisted with the successful settlement of the case against Urban Outfitters. LEU also participated in oral arguments before the Ninth Circuit Court of Appeals in Hopi’s case against the United States E.P.A. (“USEPA”).

The Human Services & Government Unit (“HSGU”) consists of 7 Attorneys, 2 Advocates, and 3 Support Staff. HSGU represents six Divisions covering more than 65 programs which include many important areas such as health, education, social services, insurance, public safety, 638 contracts, and Indian Child Welfare Act matters.

The Natural Resources Unit (“NRU”) consists of 7 Attorneys, 1 Advocate, and 1 Support Staff. NRU advises the Division of Natural Resources and the Navajo Nation Environmental Protection Agency.

The Economic & Community Development Unit (“ECDU”) consists of 4 Attorneys and 1 Support Staff. ECDU advises all departments and programs within the Division of Economic Development, the Division of Community Development, and all 110 Chapter governments. ECDU also advises the Nation on gaming matters.

The Tax & Finance Unit (“TFU”) consists one 1 Attorney and 1 Support Staff. We have 1 Attorney vacancy in TFU and we expect to fill the position in the 2nd Quarter. As the name suggests, TFU advises on all tax and finance matters affecting the Nation.

The Water Rights Unit (“WRU”) consists of 3 Attorneys and 1 Support Staff. WRU advocates for and represents the Nation’s claims and interests in water rights.

C. Office of the Prosecutor & Office of Juvenile Justice

This quarter we were very pleased to hire Ms. Gertrude Lee as our Chief Prosecutor. She brings many years of prosecutorial experience as an Assistant District Attorney in Gallup, New Mexico. Since joining our team in late October, Ms. Lee has visited every one of her 9 district offices, convened a staff meeting and training session for all her prosecutors and JPOs, submitted a request to the Navajo Nation Bar Association to allow for provisional licenses to assist in filling open prosecutor positions quickly, hired two new professional staff, and covered court in various districts as needed. She brings tremendous energy and excellent judgment to the Office of the Prosecutor and the Office of Juvenile Justice. We are so pleased to have her at the helm of this team.

The Office of the Prosecutor and the Office of Juvenile Justice are tasked with enforcing certain provisions of the Áłchíní Bi Beehaz’áannii Act, certain provisions of the Traffic Code in Title 14, and all crimes listed in the Criminal Code. There are 9 District Prosecutor Offices covering the 12 Judicial Districts (Courts) of the Nation. Currently, there are no prosecutors in the following Districts: 1) Alamo/Tohajiilee; 2) Chinle/Dzil Yijiin; 3) Crownpoint; 4) Dilkon; and 5) Ramah. Thus, the current 8 Prosecutors (including the Chief Prosecutor and Deputy Chief Prosecutor), 2 Juvenile Presenting Officers, 1 Investigator, and 13 Support Staff do their best to cover all criminal and juvenile cases. In order to alleviate some of the staff’s wear and tear on their own personal vehicles, our IT employee is attempting to set up video conferencing in certain compatible Districts so Prosecutors may appear via video conference for hearings.

In the first quarter, out of 2,750 criminal referrals, 1,320 cases were filed. There were 112 cases dismissed and 1,177 cases closed. The Prosecutor’s Office also reported that there are 3,949 total pending criminal cases.

For juvenile matters, out of 352 total referrals, there were 107 cases filed and 227 cases closed. There remain 518 pending juvenile cases.

D. Navajo-Hopi Legal Services Program

The Navajo-Hopi Legal Services Program (“NHLSP”) consists of 2 Attorneys and 1 Support Staff. The NHLSP provides legal services to Navajos and Hopis who are denied benefits by a certifying officer from the Office of Navajo and Hopi Indian Relocation (“ONHIR”) by assisting those individuals with appeals of those denials to the administrative law judge within ONHIR. This quarter, ONHIR denied 10 more appeals. These administrative appellate decisions may be appealed to the Federal District Court of Arizona. NHLSP and outside counsel represented clients in 9 ONHIR administrative appeals this quarter, and filed appeals on 4 administrative denials in the Federal District Court of Arizona.

II. CRITICAL ISSUES

A. OAG Budget Shortfall

In FY16, OPVP and the Navajo Nation Council approved DOJ's budget adding six new positions. These positions were funded for half the year (1040 hours) in order to provide sufficient time to create these positions, advertise, and fill them. All of the existing positions were fully funded for the entire budget year.

For FY17, rather than increasing the DOJ budget to accommodate a full year's salary for the 6 new positions, the overall budget for DOJ decreased. Currently, 30 Attorney/Advocates are budgeted to work up to July 2017. **As of today, our unmet need for DOJ alone is \$788,539.00.**

B. Staffing for the Office of the Prosecutor

Currently, the staff consists of 1-Chief Prosecutor, 1-Deputy Chief Prosecutor, 1-Attorney, 2-Attorney Candidates, 5-Prosecutors (1 part-time & 1 on medical leave), 2-Juvenile Presenting Officers, 1 Investigator, and 13-support staff covering the entire Navajo Nation. As a result, the Chief Prosecutor and the Deputy Chief Prosecutor are assisting the staff with the workload. Note that within just two months of her hire, the new Chief Prosecutor has hired one new Attorney Candidate (started in December) and one new Prosecutor (slated to start in January).

If and when this office is fully staffed, there will be 1-Chief Prosecutor, 1-Deputy Chief Prosecutor, 6-Prosecuting Attorneys, 8-Prosecutors, 4 Juvenile Presenting Officers, 1-Investigator and 14 Support Staff. Recruiting and hiring of Attorneys, Prosecutors and Juvenile Presenting Officers is made difficult because they are required to pass the Navajo Bar Exam before practicing law on the Navajo Nation. One way to address this issue is the Chief Prosecutor's effort to give temporary licenses to applicants licensed to practice law in other jurisdictions. This effort is currently being sought from the Navajo Nation Bar Association and the Office of the Chief Justice.

Even if this office becomes fully staffed, it is highly likely the Nation will need more Prosecutors to deal with the high volume of crimes committed within our Nation. As a result, just as the AG and DAG advocated for in early 2016, we will once again be asking OPVP and Council to consider increasing our prosecutorial budget to help us stabilize our public safety system.

C. Staffing for the Navajo-Hopi Legal Services Program

Since October 2014, the ONHIR administrative law judge has denied 99 of 101 appeals of ONHIR denials of benefits for Navajo relocatees. While there are plans to wind down the relocation benefit program, many applicants who were denied benefits remain eligible to file federal appeals on those denials.

We anticipate that many appeals will be granted and, as a result, the workload of NHLSP and our outside counsel will grow significantly as we will have strict litigation deadlines to meet. As mentioned, the NHLSP staff includes only two Attorneys and one Legal Secretary. They are charged with assisting individuals at all stages of the application process: Application; Certifying Officer initial decision; appeal to the ONHIR Hearing Officer; and appeal to the Arizona Federal District Court. The NHLSP will need more staff to take on this increased workload.

III. PROJECT(S) STATUS

Each DOJ Attorney and Advocate submits a quarterly report to the Attorney General. Each quarterly report summarizes the projects that each Attorney/Advocate has worked on during the quarter. DOJ Attorneys and Advocates work on a tremendous number of projects, so it would not be feasible to list all of these projects here. Instead we have attempted to summarize below the key projects of the Department. The confidential portions of these projects are not provided in this report. If Members of the 23rd Navajo Nation Council would like any further details on any of DOJ's projects, please let us know and we can provide a briefing.

A. The Gold King Mine Spill

The law firm of Hueston Hennigan continues to serve as contract counsel on this matter and works closely with the AG and the LEU AAG on filings and case strategy. This quarter we filed the Nation's Federal Tort Claims Act ("FTCA") claim with the USEPA in the amount of \$160 million, and we also filed our opposition to Kinross Gold and Kinross USA's motions to dismiss our claims against them.

Hueston Hennigan, along with the AG and attorneys from our NRU, have also assisted individual members of the Nation impacted by the spill in assembling their FTCA claims. So far we have held 10 of these sessions.

DOJ continues to coordinate matters relating to the Cooperative Reimbursement Agreements we have with USEPA.

B. *Hopi Tribe v. U.S. E.P.A.*, No. 14-73055, Ninth Circuit Court of Appeals

This case concerns multiple challenges to the USEPA's regional haze rule for the Navajo Generating Station. The Nation is a party to an agreement among several interests to create alternative time frames to reduce haze pollution from NGS. USEPA adopted that agreement for its rule. Several parties, including the Hopi Tribe, sued USEPA.

The LEU filed an intervenor brief supporting the rule on the basis of the USEPA tribal authority rule and the trust responsibility. On November 18th, oral arguments were held at the Ninth Circuit Court of Appeals and DOJ Attorney Colin Bradley represented the

Nation's interests. After the oral arguments, the Panel requested supplemental briefing on remedies, which we are preparing.

C. *Navajo Nation v. US Department of the Interior, No. 13-17510, Federal District Court of Arizona*

This case arises from the National Park Service's (NPS) "unauthorized taking" of human remains from the Canyon De Chelly monument. The Navajo Nation filed suit against the NPS and the Federal District Court of Arizona ruled against the Nation indicating that it did not have jurisdiction until the NPS makes its final determination of cultural affiliation. The Nation appealed to the Ninth Circuit Court of Appeals and Assistant Attorney General for LEU, Paul Spruhan, argued for the return of the remains. In April 2016, the Ninth Circuit reversed and remanded to the lower court indicating that final agency action was taken by NPS and therefore the lower court did have jurisdiction to hear the claim against the U.S. The Ninth Circuit asked the parties to brief whether the issues should be considered en banc but both parties agreed that en banc review was not necessary.

In June, NPS issued its Notice of Inventory Completion indicating that Navajo Nation was "culturally affiliated" with some of the remains, along with the Hopi and Zuni Nations. The Hopi Tribe filed an Amicus Brief arguing that the Hopi Tribe is an indispensable party. In August, the Ninth Circuit remanded the case to the Arizona Federal District Court to address whether the Hopi and Zuni Nations are indispensable parties.

This quarter, the Hopi Tribe filed a Motion to Intervene and LEU filed a response in opposition. The U.S. has yet to file a response to Hopi's motion. We await a response by the Court.

D. *Board of Education for the Gallup-McKinley Schools v. Henderson, No. 16-2011, Tenth Circuit*

The Gallup School District argues that the Navajo Preference in Employment Act does not apply to state-organized school districts located on the Nation. LEU filed a motion to dismiss and the U.S. District Court of New Mexico granted our dismissal. The School appealed the dismissal to the Tenth Circuit. Initially, the appeal was sent to the mediation office. However, mediation efforts failed and, in this quarter, LEU completed briefing of the appeal.

E. *Navajo Nation v. Urban Outfitters, No. 1:12-cv-00195-BB-LAM, Federal District Court of New Mexico*

This case involves Urban Outfitter's use of the word "Navajo" on its products which we argue is an infringement on the Navajo Nation's trademark. The LEU serves as co-counsel with contract counsel. There was a lot of activity in this case over the past year.

In this quarter, the AG and the LEU AAG participated in settlement negotiations that resulted in a successful settlement of this case.

F. *Corporation of the President of the Church of Jesus Christ of Latter Day Saints v. RJ, No. 2:16-cv-00453, Federal District Court of Utah*

Four individuals filed suit in the Window Rock District Court claiming they were abused while participating in the LDS Church's Indian Student Placement Program. The LDS Church did not file a response to this claim in WR District Court. Rather, the LDS Church filed suit in the Federal District Court of Utah claiming that the WR District Court lacks jurisdiction over the LDS Church. In August, LEU filed a motion to intervene and a motion to dismiss the Utah federal court action. In this quarter, the Utah Court issued a Memorandum Decision which dismissed the action. Essentially, as we argued, the Court indicated that the Church needed to participate in the WR Court action.

G. *Standing Rock Sioux Tribe v. Army Corps of Engineers, Federal District Court of the District of Columbia, D.C. Circuit Court of Appeals*

The Standing Rock and Cheyenne River Sioux Tribes seek to block the Dakota Access Pipeline. LEU continues to monitor the case and participates in teleconferences organized by the Native American Rights Fund Supreme Court Project. With the recent denial of an easement by the Army Corps of Engineers, the owners of DAPL are arguing to the D.C. District Court that the Corps already approved the easement when it approved a permit.

There's also an appeal of the denial of a preliminary injunction for lack of consultation under the National Historic Preservation Act pending before the D.C. Court of Appeals. DOJ is considering signing on to amicus briefs to be filed in these proceedings.

H. **Telecommunications**

This quarter, the Human Services & Government Unit attended four meetings with the Navajo Telecommunications Regulatory Commission, NN Division of Natural Resources, and the NN Land Department to assist in the implementation of the NN Telecommunication Siting Regulations, Telecommunication Lease Procedures, and Sublease/Collocations issues. This is an on-going project.

I. **Navajo Generating Station**

There are many issues surrounding NGS and DOJ spends a considerable amount of time and resources on these issues. For further information, DOJ recommends a private session to discuss the various issues.

J. Uranium

- i. Navajo Uranium Working Group - In November, the Navajo Uranium Working Group was established to address abandoned uranium mines on the Nation. The Working Group includes DOJ, Navajo Abandoned Mine Lands Department, Reclamation-UMTRA Department, Navajo EPA Superfund Project, and OPVP. The Group has been meeting on a weekly basis. This will be an on-going project.
- ii. Diné Uranium Remediation Advisory Commission – The Natural Resources Unit has been assisting Delegate Amber Crotty with amendments to the Plan of Operation for the Commission. The proposed legislation is currently at Legislative Counsel for review. The formation of the Commission is a crucial step toward selecting a remedy for disposal of uranium mine waste.
- iii. Tronox Settlement – The Natural Resources Unit continues to assist with the implementation of all matters within the scope of the Tronox Settlement such as ensuring that the U.S. is properly evaluating and cleaning up the uranium mine sites.

K. Clean Power Plan

In 2015, the US EPA published its final Clean Power Plan (“CPP”). In addition, the U.S. also released a draft federal implementation plan (“Draft Federal Plan”). The U.S. proposed that the Draft Federal Plan applied to the Navajo Nation. In February 2016, the U.S. Supreme Court issued a stay that prohibits the implementation of the CPP. In the interim, DOJ has been assisting OPVP and Council with efforts to get USEPA to withdraw its determination about the applicability of the CPP to the Nation. During the stay on the CPP, the USEPA released for public comment a component of the CPP called the Clean Energy Incentive Program. DOJ assisted President Begaye in submitting the Nation’s comments. However, the future of the CPP is uncertain because of the recent election of Trump. We should know more information in the next quarter.

L. Grand Canyon Escalade Project

In 2014, DOJ reviewed this Project and determined it was legally insufficient. In 2016, the Project was introduced into the legislative process as Legislation No. 0293-16. Many attorneys from all DOJ units are working collaboratively in order to complete an update to DOJ’s 2014 advisory memorandum.

M. Youth

HSGU provides assistance in many children’s matters, including the following:

- i. ICWA cases;

- ii. Review of amendments to the plan of operation for Department of Child Support Enforcement and coverage of hearings regarding child support enforcement;
- iii. Assistance of the Department of Self Reliance in hearings before the Office of Hearings and Appeals (3 hearings were held this quarter); and
- iv. Assistance of the Navajo Children and Family Services in certain litigation and in negotiation of our Inter-Governmental Agreements with the states of Arizona and New Mexico (held on December 12th and 15th).

N. 638 Contracts

HSGU assists numerous Nation entities with their 638 Contract issues. There are BIA funded programs and IHS funded programs.

- i. BIA Funded
 - a. In this quarter, HSGU assisted the Navajo Department of Law Enforcement and the Navajo Department of Criminal Investigations with their responses to the BIA.
 - b. On November 1, 2016, HSGU attended a meeting with the BIA and OMB wherein the BIA expressed a new process for budget requests for FY2019. The Nation’s proposal is due in January 2017.
 - c. On December 6, 2016, HSGU attended the BIA’s FY2019 Budget Formulation meeting. The BIA requested information about the Nation’s top priorities.
- ii. IHS Funded.
 - a. On November 30, 2016, HSGU attended a meeting with OMB, Navajo Department of Health, EMS, and the Navajo Division of Social Services to discuss and approve changes to the CY2017 Annual Funding Agreement.
 - iii. Contract Support Costs. DOJ advertised for and received several responses to an RFP to assist the Nation with filing our contract support costs claims. Sonosky Chambers was selected for this work.

O. Renewal of the Agreement with the Arizona Department of Public Safety

The Navajo Police Department has had an agreement in place for the past five years with the Arizona Department of Public Safety. Recently, the attorneys with the Arizona Governor’s Office are insisting on revisions to that agreement. Thus, there is a plan to

renew the same agreement for six months while revisions are contemplated. This will be an on-going project.

P. Arizona Gaming Compact

ECDU has been participating in all meetings and events surrounding the recent efforts to amend the existing Arizona Gaming Compact. This effort is likely to lead to further discussions about renewing the Compact. For more information, DOJ recommends a private briefing.

Q. Supervision of Chapter Staff

The Local Governance Act (Title 26) prohibits Chapter Officials from interfering with the management and operations of the chapter administration. Nevertheless, the Plan of Operation for the Local Governance Support Centers (“LGSC”) provided that Community Service Coordinators had a local Chapter Official Supervisor, as well as a supervisor within the Division of Community Development. In 2014, the LGSC was replaced by the Administrative Support Centers but the plan of operation was silent as to supervision. The ambiguity may need to be resolved through an amendment to the LGA.

R. Uniform Local Tax Code

Pursuant to 26 N.N.C. §103(E)(8), once a Chapter government becomes governance-certified, the Chapter may impose a local tax “pursuant to a local tax code developed by the Navajo Tax Commission and approved by the Navajo Nation Council.” This has been a project for quite some time but there were significant strides in the past 2 quarters. In particular, TFU suggested amendments to the draft tax code and the Local Tax Code was approved by the Navajo Tax Commission. There are plans to reach out for Chapter input before placing it into the legislative process.

S. Budget Matters

Many DOJ attorneys across several DOJ units have spent a significant amount of time on budget related legislation, especially the amended Comprehensive Budget legislation and Expenditure Plans for use of the Sihasin Fund and the Permanent Fund Income. DOJ has been ensuring that the proper laws, regulations, and policies are followed in expending these public funds. Other financial matters exist but we recommend a meeting to elaborate further on those issues.

T. Navajo Water Rights

WRU is a part of the Nation’s team in the litigation and settlement efforts of water rights claims. Such claims are organized on a basin-by-basin approach as listed below. There has been a lot of activity this quarter. As a result, DOJ recommends a meeting to provide a thorough update on the following basins:

- i. San Juan River Basin (NM)
- ii. Zuni River Basin (NM)
- iii. Little Colorado River Basin (AZ)
- iv. Colorado River Basin (AZ)
- v. San Juan River Basin (UT)

U. Other Litigation

Many DOJ attorneys from several DOJ units represent the Nation in Navajo tribunals such as the Office of Hearings & Appeals, Navajo Nation Labor Commission, the District Courts and the Navajo Supreme Court. DOJ attorneys also appear as co-counsel with contract counsel for many litigations pending before other tribunals such as State and Federal Courts. A list of every hearing attended would be voluminous. As a result, below is a summary list of litigation matters that DOJ attend to:

- i. Insurance and Risk Management claims;
- ii. Labor & Employment Claims filed against the Nation;
- iii. Child Support Enforcement;
- iv. Indian Child Welfare Act;
- v. Áłchíní Bi Beehaz'áannii Act cases

V. ONHIR Appeals

NHLSP provides legal assistance to Navajos who are denied relocation benefits by ONHIR. The certifying officer's decision may be appealed to an administrative law judge ("ALJ") within ONHIR. The ALJ's decision may be appealed to the Arizona Federal District Court.

As of December 02, 2016, ONHIR reported that there are 100 administrative appeals pending before ONHIR's ALJ. It has been reported that these administrative appeals are proposed to be concluded by December 2017.

In the meantime, since October 2014, ONHIR's Hearing Officer has denied the appeals of 99 out of 101 applicants. This includes the 10 denials received this quarter. Just like any litigation, there are interviews and other preparations made before representing a client in a hearing. In this quarter, the NHLSP, with assistance from contract counsel, represented 11 applicants in 9 hearings. The workload is expected to increase as ONHIR's denials are appealed to federal court.

W. Public Safety Summits

The Attorney General continues to convene monthly Public Safety Summits with the leaders of our public safety system, including the Director of Public Safety, the Chief of Police, the Chief Prosecutor, the Chief Justice, Judicial Branch staff, and the Director of the Navajo Public Defender's Office. The group was initially convened in November 2015 to identify and correct barriers to the smooth delivery of public services on the

Nation. Given our limited resources, the group sought strategic application of resources to areas of greatest needs. In late January the group will be hosting a Navajo Nation-wide planning session to develop a comprehensive and long-term strategy for the Nation's public safety system.

X. Criminal Code Amendments

The Attorney General continues to conduct monthly meetings with many the Director of Public Safety, Chief of Police, Chief Prosecutor, Judicial Branch staff, Public Defender's Office, and other Navajo entities in order to propose amendments to the Nation's Criminal Code. An initial draft of proposed amendments regarding white collar crime is complete and is being reviewed by the team before being prepared for comments. Once the white collar crime amendments are complete, the group will turn to amendments to the violent crimes and sex crimes provisions of the Code. This will continue to be an on-going project as the team continues to develop recommendations on amendments to the Criminal Code in order to ensure fast and effective operations of our public safety system with the goal of improving delivery of services to the public, and to creating safer communities for our people.

IV. BUDGET STATUS

Quarter Budget Information

Funding Source General Funds etc	Number of Personnel #	FY 2017 Personnel \$ amt	% Used	FY 2017 Operating \$ amt	% Used
OAG – General Funds	46	\$4,089,197.00	14.68%	\$125,563.00	15.20%
Prosecutor – GF	23	\$1,660,924.00	10.27%	\$223,050.00	7.13%
Juvenile Justice - GF	10	\$610,329.00	9.61%	\$152,468.00	10.16%
NHLSP - GF	3	\$312,957.00	14.10%	\$18,100.84	16.70%
Fixed Cost Litigation	0	0	0%	\$3,663,486.75	98.00%
Water Rights – Special Revenue	7	\$7,064,741.00	77.00%	\$10,285,631.11	77.00%

Funding Source External Funds	Number of Personnel #	FY 2016 /15 Personnel \$ amt	% Used	FY 2016/15 Operating \$ amt	% Used
None	0	\$0	0%	\$0	0%

V. OPERATIONAL & PROCESS IMPROVEMENT INITIATIVE STATUS

DOJ has formed an internal Operational & Process Improvement Initiative Task Force to assess how we can improve our operations and processes to increase efficiency, reduce costs, and provide better service to our clients. The Task Force continues to meet on the first and third Monday of each month. In this quarter, the Task Force completed its first draft of a handbook and will distribute it in the next quarter to all staff for comments.