



Resolution No. 10-2005-286

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

(Approving the grant application and accepting the award (if granted) for the BIA Indian Highway Safety Program and authorizing the Chief of Police to manage the Program)

WHEREAS, the White Mountain Apache Tribe is concerned over the high rate of motor vehicle crashes reported and the increasing numbers of traffic fatalities involving tribal members with a large percentage of the fatalities stemming from alcohol usage as a cause; and

WHEREAS, the White Mountain Apache Tribe and the White Mountain Apache Police Department is interested in developing a Traffic Services Unit within the Police Department which will concentrate on more visible highway patrols, Driving Under the Influence of Alcohol detection and prevention, and otherwise a more visible patrol on the reservation highway systems; and

WHEREAS, the police department is interested in developing their records management system whereby periodic records analysis may be possible with the resulting analytical assessments made available to the Tribal Council, Bureau of Indian Affairs Roads Department, Indian Health Service on Injury Prevention studies, and to the Arizona Department of Transportation for highway safety analysis; and

WHEREAS, the Bureau of Indian Affairs, Indian Highway Safety program has indicated funding may be available to fund reimbursement costs to the White Mountain Apache Tribe for participation in the Indian Highway Safety project and fund two police officer positions to concentrate on highway patrols, roadside check-points, cover costs of fuel for police vehicles and pay some overtime costs for officers to assist in roadside check-points; and

WHEREAS, the White Mountain Apache Police Department requests that the Tribal Council approve its grant application and award (if granted) to fund the above referenced costs on a reimbursement basis; and

WHEREAS, the White Mountain Apache Tribal Council believes it is in the Tribe's best interest to participate in the Indian Highway Safety project.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby:

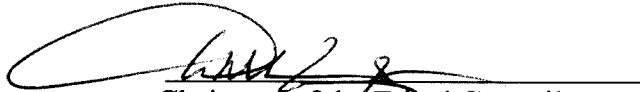
1. Approves the grant application for participation in the Bureau of Indian Affairs, Indian Highway Safety program to provide two police officers, fuel and overtime costs

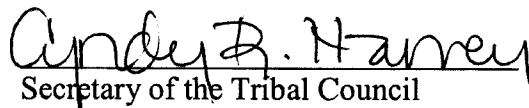
Resolution No. 10-2005-286

on a cost reimbursement basis for the reduction of impaired motorists and to investigate traffic accidents.

2. Accepts the grant award for the Bureau of Indian Affairs, Indian Highway Safety program, in the event it is approved by the Bureau of Indian Affairs.
3. Authorizes expenditure of tribal funds for the purpose of cost reimbursement for this grant award (if approved by the Bureau of Indian Affairs), as available.
4. Authorizes the Tribal Chief of Police to manage the Indian Highway Safety project on behalf of the Tribe.
5. Authorizes the Tribal Chairman to sign all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on October 24, 2005, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (j), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

**WHITE MOUNTAIN APACHE TRIBE
WHITE MOUNTAIN APACHE POLICE DEPARTMENT
FORT APACHE INDIAN RESERVATION**

PROPOSAL SUMMARY SHEET

PROJECT NUMBER: _____

AGENCY PROJECT COORDINATOR: 1. Reuben Kessay – Chief of Police
2. Everett Little Whiteman – Assistant Chief of Police

MAILING ADDRESS: P. O. Box 889 **CITY:** Whiteriver

COUNTY: Navajo-Gila-Apache **STATE:** Arizona **ZIP:** 85941

E-MAIL: RKessay@wmat.us or ewhiteman@wmat.us

TELEPHONE: 928-338-4942 ext. 232 / 231 **FAX:** 928-338-4565

SYNOPSIS OF PROPOSAL:

The Fort Apache Indian Reservation is home to about 16,000 tribal members residing on approximately 1.6 million acres of reservation land located in portions of Navajo, Apache and Gila Counties of Arizona. The tribal headquarters are located in Whiteriver, Arizona where Bureau of Indian Affairs maintains their agency headquarters and the Indian Health Service operates a full service hospital staffed with doctors and medical support staff. The White Mountain Apache Tribe operates a full service Police Department consisting of patrols, misdemeanor criminal investigations, traffic accident investigations, police dispatch service, an Adult Detention Center and Administrative Services. The White Mountain Apache Police Department has Thirty-Two full time police officers assigned to different shifts to patrol the reservation communities with Five Uniform Staff assigned to administrative duties. The Police Department is recruiting for Nine vacant police officer positions. Recruitment has been slow and no local interest is apparent.

The Tribe operates many different economic enterprises in addition to a logging industry which took a big hit during the major forest fires of 2002. The White Mountains are primarily a forest areas with trees, mountains, canyons, and rivers. Hunting and Fishing is a major sporting event during seasons. The Tribe operates the Sunrise Ski Resort which generate hundreds of visitors during the winter months depending on the snow season. The Hon Dah Casino and Resort is a major economic enterprise for the tribe and is busy the year round with thousands of visitors annually. Historically the White Mountain Apache Tribe has experienced a serious alcohol abuse problem and the problem is now extending into a serious drug problem with Methamphetamines being the drug of choice. These abuses lead to other crimes being perpetrated and many of the motor vehicle crashes can be attributed to alcohol or substance abuse. The Fort Apache Indian Reservation also consists of twenty-three (23) established communities scattered

about the reservation with the distances of the farthest community located about 55 miles to the west and one community about 35 miles to the east of the Tribal Headquarters. The White Mountain Apache Police Department has undergone a re-organization to appropriately identify supervisors and officers, supervisors and service units within the department to allow personnel to identify with a specific supervisor and a proper chain of command.

Such a change identified the establishment of a new Traffic Services Unit with a supervisor in charge of this unit. This special enforcement unit was believed needed due to the high number of motor vehicle accidents which averages around 200 per month according to the police department statistical information. Traffic fatalities over the past several years resulted in more than 70 individuals killed and many more individuals receiving personal injuries. The White Mountain Apache Tribal Council is very interested in more police patrols on the public roadways to reduce the number of vehicle accidents and number of traffic fatalities within the Fort Apache Indian Reservation. Major Highways, City Streets, Community to Community, and Forest Area mountain roadways are estimated to be approximately 1260 miles. The major highway is from Hon Dah to Whiteriver, Whiteriver to Cibecue, Show Low to Carizzo and Salt River Canyon and maintained by the Arizona Department of Transportation and Bureau of Indian Affairs. The BIA and Tribe coordinate the road grading on the mountain roads and logging roads. Hunting, fishing and camping is a major activity on the Fort Apache Indian Reservation. The Hon Dah Casino and Resort operated by the White Mountain Apache Tribe is also a busy and successful economic enterprise.

A review of the police department accident records from 1996 to 2000 by the Indian Health Service indicates that about 1315 automobile crashes reviewed, about 18% were alcohol related. Of the 44 traffic fatalities recorded from these traffic accidents, 90 % were alcohol related. Traffic records reviewed from 2001 to 2004 indicates a total of 983 vehicle accidents recorded during this period. A total of 905 individuals received injuries from the traffic accidents reviewed. Individuals arrested and taken into custody for Driving Under the Influence of Intoxicating Alcohol numbered 910. An additional 603 motor vehicle operators were cited and released for a variety of driving violations. These violations include tribal and state law violations as the White Mountain Apache Police Officers are Arizona POST certified to enforce state violations on non-Indian violators. Statistics over the past eight years indicates that 2,298 vehicle accidents recorded about 90% of these accidents were related to alcohol use and was a contributing factor in the motor vehicle crash. Over the past two years, 2003-2004 and during the present year of 2005, methamphetamine use has greatly increased and is becoming a factor in the motor vehicle crashes reported. Statistical review indicates that over 297 individuals were taken into custody for Driving Under the Influence of Alcohol and other motor vehicle moving violations totals 1736. During a recent roadside checkpoint operations (May, 2005) the White Mountain Apache Police Department recorded a total of 503.

STATEMENT OF WORK

The funding will be used to cover the salaries for two police officers who will be assigned by the Chief of Police to provide traffic patrol services on the Fort Apache Indian Reservation. The Fort Apache Indian Reservation is situated on three counties so the criminal jurisdiction over non-Indians that are Arizona State violations will require transport and meetings with three separate County Attorneys. The two officers shall be become tribal, state and federal certified officer for law enforcement purposes for all violators. Non-Indian violators will be transported or cited into courts in Pinetop-Lakeside, Show Low or Holbrook or into the Navajo County Detention Center in Holbrook, Arizona. Some violations take place in Apache County or Gila County so transports are to St. Johns, Arizona or Globe, Arizona. The White Mountain Apache Police Department is currently working on the BIA Deputation Agreement which was approved by the White Mountain Apache Tribal Council and applications from police personnel are being readied for presentation to the BIA Phoenix Regional Law Enforcement Office. Statistical information indicating about 2,298 motor vehicle accidents recorded within the Fort Apache Indian Reservation reveals that more highway patrols are necessary as part of the plan to reduce motor vehicle accidents and remove impaired motor vehicle operators from the roadways. The White Mountain Apache Police Department believes being proactive in reduction of motor vehicle accidents by providing more visible highway patrols is a step toward this goal. The Police Department believes the problems with alcohol and drug abuse is a major cause of some of the traffic problems and also results in more violent criminal behavior.

This funding will also enable the Department to upgrade the Records Management Section of the Department and will allow for better analysis of the traffic problems. This grant will work cohesively with the Centers for Disease Control Tribal Motor Vehicle Injuries Reduction grant awarded to the Tribe for collection of data and limited patrols. The Police Officer employed under the CDC grant will work with the Records Management to ensure accurate traffic records are recorded. The Indian Highway Safety grant will allow the two police officers to work with Records Management and CDC officer under the direct supervision of the Chief of Police to concentrate on highway patrols and other traffic data collecting services. By scheduling these officers to work during times of high motor vehicle travel, evenings, week-ends and holidays the reduction in motor vehicle crashes and removal of impaired motor vehicle operators will result.

The White Mountain Apache Tribe entertains thousands of visitors to the Fort Apache Indian Reservation each year due to the vast natural resources for vacations, skiing, hunting, fishing and gaming. This coupled with all the summer time activities generally scheduled for the traditional sunrise ceremonies and other community activities keeps the police department very busy. Unforeseen and unplanned activities also take a lot of police time to handle and respond. This additional grant will allow for specific highway patrols and is needed to help reduce motor vehicle traffic accidents.

**WHITE MOUNTAIN APACHE POLICE DEPARTMENT
INDIAN HIGHWAY SAFETY
GOALS AND OBJECTIVES**

The White Mountain Apache Police Department shall continuously strive to provide for more visible police patrols on the public highways and residential streets to locate and remove impaired motor vehicle operators. These Police Officers assigned shall be trained in the art of traffic accident investigations and traffic accident reconstruction over a period of several years depending on the continuing grant awards through the Indian Highway Safety Project grant.

The following plan shall be followed as closely as possible.

1. Continuously evaluate the problem of the impaired driver and the impact on the Fort Apache Indian Reservation, utilizing up-to-date software and computer systems for recording information. Monitor the conviction rate and increase this rate by 10 % for successful prosecutions in tribal court.
2. Schedule and coordinate all traffic activities with all the police officers and assigned officers for the traffic patrols to ensure that impaired motor vehicle operators are removed from motor vehicle operations by working with the tribal prosecutors and tribal court staff.
3. Coordinate traffic activities with all tribal resource programs such as Tribal Alcohol and Substance Abuse, Tribal Behavioral Health, Indian Health Service Social Services, Bureau of Indian Affairs Social Services, Tribal Social Services, and the Tribal Court to assure that frequent abusers are provided services.
4. Coordinate with the Tribal Prosecutor and Tribal Court Judges to arrange for Educational classes for convicted motor vehicle operators for violation of the tribal motor vehicle laws to educate the impaired vehicle operators of the dangers in driving while under the influence of intoxicating alcohol.
5. Reduce the high number of occurrences of driving while under the influence of intoxicating liquor or drugs through the high visible highway patrols and arrests or citing motor vehicle operators with driving violations. Reduction estimated at about 10% per each year of operation.
6. Work with the Tribal Prosecutor and Tribal Law and Order Committee to coordinate amendments in tribal laws relating to motor vehicle operations and educational efforts for motor vehicle law violators so eventual reduction in violation increases by 10/15% per year. Tribal Judges will be encouraged to attend the motor vehicle moving violation and motor vehicle accident training courses to educate the judges on how extensive and costly the injuries are to individuals, families, tribe and Federal Government Services.

7. **Conduct an analysis of the traffic records on motor vehicle moving violations, traffic accidents and traffic fatalities to determine where and when the accidents or violations occur so extra law enforcement can be performed during these times to help observe and reduce the violations by at least 10% starting with the initial year of operations.**

8. **Coordinate the sharing of information and data collected with the Bureau of Indian Affairs, Roads Department and the Arizona Department of Transportation and Arizona Department of Public Safety. The Traffic Services Unit will attempt to create a Road Map of Sufficient Size and Research the data to identify where all the Fatal Traffic Accidents have occurred and establish the causes of these crashes. Analysis of these data collected will be forwarded to the Arizona Department of Transportation and BIA Roads Department for their review, use or additional researching.**

**WHITE MOUNTAIN APACHE TRIBE
WHITE MOUNTAIN APACHE POLICE DEPARTMENT
FORT APACHE INDIAN RESERVATION**

TRAFFIC SERVICES - BIA INDIAN HIGHWAY SAFETY GRANT

1. PERSONNEL:

TWO POLICE OFFICER POSITIONS:

- A. Sergeant of Police: \$35,853 salary for certified and trained officer
- B. Police Officer: \$34,005 salary for certified and trained officer
(Tribal, BIA and Arizona POST certified for Tribal,)
(State and Federal law enforcement purposes))
\$ 69,858
- C. Overtime: 10 officers @ 25.00 ph x 1200 hours = \$ 30,000
(overtime costs for officers on roadblocks, checkpoints, safety checks,)
(patrols, etc. - officers x 6 hr. each x 2 per month x 10 months x \$25.00)
- D. Benefits: 29% \$ 20,259
+ \$ 8,700 (overtime) \$ 28,959

TOTAL PERSONNEL COSTS: \$ 128,817

2. TRAINING: Selective Enforcement, accident investigations, radar certification, DUI enforcement, other incidental traffic related training

- A. Two Officers x \$2500.00 each per year = \$ 5,000
- B. Computer Aided Dispatch Training for Staff: \$7,000
(CID / Technology Software each year; \$7,500
(police officers, dispatchers, administrative staff) \$ 19,500

3. OPERATIONAL EXPENSES:

- A. Mileage Expenses: \$.40 cents per mile @ 25000 miles each per year
(tribal mileage expense reimbursement cost is \$.40 per mile) \$10,000
due to drastic increase in gasoline prices nationwide)
- B. Vehicle Operations: oil & maintenance \$ 5,000
Mechanic @ \$17.22 ph x 12 oil changes, tune-ups, engine checks, etc.)
- C. Supplies & Materials: \$ 5,000
(traffic citations, clipboards, print materials for educational
(presentations to communities, schools, tribal council, law & order
(committee, etc.

TOTAL: \$ 20,000

4. EQUIPMENT ITEMS:

A.	Breathalyzer		\$ 7,500
B.	Test Testing Devises	300.00 ea. - 10 ea. =	\$3,000
C.	Mouth pieces	2500 pieces @ 2.50 ea. =	\$ 6,250
D.	Towelettes	12.99 x 25 boxes	325
	(Items shall be utilized by traffic enforcement officers)		
E.	Computers, Laptop computer for two officers for police reporting and data collection of traffic incident related offenses (computer-2500; laptop computer @ 3500 each)		\$9500
F.	Power-Point Equipment		\$7500

TOTAL: **\$ 34,075**

GRAND TOTAL: **\$ 202,392**

INDIRECT COSTS: 15% **\$ 30,359**

**IN-KIND CONTRIBUTION BY THE WHITE MOUNTAIN
APACHE POLICE DEPARTMENT:**

1. Employ Two Police Officers meeting all training requirements for Tribal, BIA and Arizona POST Certification
 - a. Pre-employment Testing: reading and comprehension, writing and common knowledge questions
 - b. Full Field Background Investigations including criminal history, local tribal court checks, financial checks, neighborhood checks, etc.
 - c. Basic Police Academy Training
 - d. Full Orientation on Police Department Policies and Procedures, Tribal Law and Order Code orientation with Tribal Prosecutors, Tribal Personnel and Employment Policies, etc.
2. Provide full service uniforms for summer and winter including winter coat, boots, caps, hats, badges, credentials, name tags, police identification patches
3. WMAT Police Department shall provide Police Vehicle for Patrols, tribal code, citation books, all related law enforcement codes
4. WMAT Police Department shall provide mobile radio and hand-held radio
5. WMAT Police Department provides duty weapons, rifle, shotgun and training
6. WMAT Police Department provide office space and all related incidentals
7. Supervision, Guidance and Financial Assistance on Program

TOTAL ESTIMATED COSTS: **\$ 40,000**