



## Navajo Criminal Investigations supplemental appropriation gains approval from Law and Order Committee

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**WINDOW ROCK, Ariz.** — A supplemental appropriation of \$1,244,913 for the Navajo Department of Criminal Investigations (NDCI) was given its first approval by the Law and Order Committee (LOC) of the 24th Navajo Nation Council on Thursday.

“Our Navajo Nation Criminal Investigations Department is requesting funding relating to the operations of the program,” said Council Delegate Otto Tso (*Tónaneesdizí*), sponsor of Legislation No. 0058-21. “We do know they’ve always been trying to ask for funds. They’re pushed back and kicked to the side. Their request is legitimate, they do provide a service that is very necessary to the Navajo People throughout the Navajo Nation.”

The legislation, which is also cosponsored by Council Delegate Eugenia Charles-Newton (Shiprock) and Speaker Seth Damon (*Bááháálí, Chichiltah, Manuelito, Tsé Łichíí’, Rock Springs, Tsayatoh*), utilizes funding from the Unreserved, Undesignated Fund Balance (UUFB) to meet the additional burden placed on the NDCI during the coronavirus (Covid-19) pandemic.

Testimony of NDCI staff given in previous LOC meetings indicated staff were called upon to act as coroners in addition to their regular criminal investigator duties.

The added work was not supported through the base \$700,000 in funding approved for the NDCI for the 2021 fiscal year.

Shannon Gravatt, administrative service officer, explained funding previously set aside for new weapons, ammo, body armor and related public safety equipment was spent to purchase personal protective equipment (PPE) once the pandemic began.

“Within the last year, we’ve had approximately 500 deaths. Within those deaths, we’ve had to pay for autopsies that are \$4,776 each, along with toxicologies that are \$283. Not to mention the equipment that goes with it, which are body bags, evidence tags, Covid testing vials, post-mortem blood kits and so forth,” said Gravatt.

The costs continue to increase when added to mileage, maintenance, phones, other mandated bills and increased usage of office supplies. Overtime and added salary costs were also not included in the base funding amount.

In earlier LOC meetings, the NDCI presented on their expanded role during the coronavirus (Covid-19) pandemic, shared Tso. Department personnel testified that they have performed the added role of coroner.

Speaking to the need for the supplemental appropriation, Gordon Toadlena, Window Rock Criminal Investigations supervisor, added: “When you look at seven districts plus the headquarters

office, that's only \$100,000 per district, or less than that with eight offices throughout the Navajo Nation. The Covid crisis that we're still in has made a tremendous impact in our budget because of what we've had to pay for."

Toadlena said the program is trying to make ends meet after performing budget transfers to cover additional costs.

Tso indicated members of the Navajo Nation Council have asked continuously for budget documentation to prepare a supplemental appropriation which requires the signature of Executive Branch personnel. After months of requesting the documentation for a delegate to sponsor through legislation, no signed documents were presented.

"We shouldn't be allowing our criminal investigators to beg us for money they need," said Tso, noting that the function of providing the necessary budget documentation or explanation for the ongoing shortfall rests with the Executive Branch.

Though not available during the LOC meeting to present information to the committee, NDCI headquarters director Michael Henderson indicated through budget forms attached to the legislation that: "It has become strenuous on meeting the operational needs to continue to comply with the requirement of the standard daily operations in ensuring the safety and welfare of the staff who are called upon to conduct critical investigations regarding: deaths with and/or without COVID, aggravated assaults, sexual assaults, and other egregious crimes that occur within the boundaries of the Navajo Nation."

The budget justification included in the request and the previous testimony of NDCI personnel led to the development of the legislation to address the continued operation of the department.

The supplemental appropriation legislation was supported with a vote of 3 committee members voting in favor, none voting in opposition, 1 committee member absent and the committee chair not voting.

Legislation No. 0058-21 will be heard next by the Budget and Finance Committee (BFC), the Naabik'iyáti' Committee and the Navajo Nation Council. If approved by the Council, the resolution will be submitted to the Navajo Nation President for enactment, veto or line item veto.

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