

 <p>ARIZONA DEPARTMENT OF CORRECTIONS</p> <p>DEPARTMENT ORDER MANUAL</p>	<p>CHAPTER: 900</p> <p>INMATE PROGRAMS AND SERVICES</p>	<p>OPR:</p> <p>DIR</p>
	<p>DEPARTMENT ORDER: 921</p> <p><b><i>TRIBAL GOVERNMENT RELATIONS</i></b></p>	<p>SUPERSEDES:</p> <p>DO 921 (04/13/06)</p> <p>EFFECTIVE DATE:</p> <p>FEBRUARY 24, 2009</p>

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## PURPOSE

This Department Order establishes the basic principles governing the Department's relations with federally recognized American Indian Tribes ("Tribes") in Arizona and ensures that:

- Tribes to which the inmate population are members receive reasonable notice of the development and revision of Department Orders, written instructions and procedures specific to incarcerated Tribal members.
- Incarcerated Tribal members are afforded opportunities that are consistent with their Tribal status and commensurate with their custody classification.

## RESPONSIBILITY

The Director, Deputy Director, General Counsel, Division Directors and Administrators shall ensure that all aspects of this Department Order are enforced.

## PROCEDURES

### 921.01 GENERAL INFORMATION

- 1.1 The Director or designee shall identify a Department Native American Liaison. The Native American Liaison, with oversight by the Director or designee, shall serve as the Department's contact person with Tribes represented in our inmate population and with the Arizona Commission on Indian Affairs.
- 1.2 The Director or designee may enter into Intergovernmental Agreements (IGA) or Memoranda of Understanding (MOU) when considered mutually appropriate by the Department and any interested Tribal Government.
- 1.3 For other information relating to incarcerated Tribal members, see:
  - 1.3.1 Department Order #704, Inmate Regulations, which authorizes incarcerated Tribal members to wear Native American Headbands.
  - 1.3.2 Department Order #711, Notification of Inmate Hospitalization or Death, which addresses notification to Indian Tribes upon death of an incarcerated Tribal member.
  - 1.3.3 Department Order #901, Inmate Records Information and Court Action, which outlines the process to identify, verify and record Native American heritage and tribal affiliation.
  - 1.3.4 Department Order #904, Inmate Religious Activities/Marriage Requests, which outlines the process for participation in Native American religious ceremonies and use of ceremonial property.
  - 1.3.5 Department Order #909, Inmate Property, Attachment A, which authorizes inmates to purchase and maintain specific religious property.
  - 1.3.6 Department Order #1003, Community Corrections, which addresses when Community Corrections Officers may carry weapons on Tribal lands.

**921.02 MAINTAINING TRIBAL GOVERNMENT RELATIONS** - To foster involvement of Tribes and allow for culturally appropriate policies and practices.

1.1 The Department shall:

- 1.1.1 Ensure that incarcerated Tribal members are afforded opportunities that are consistent with their Tribal status and commensurate with their custody classification.
- 1.1.2 Develop partnerships that allow the Department and Tribes represented in our inmate population to share information and respond to incarcerated Tribal members' inquiries.
- 1.1.3 Recognize Native American holidays and the Native American Indian Heritage Month, which is celebrated throughout November and encourage incarcerated Tribal members to participate in Native American religious programs.
- 1.1.4 Provide staff training encouraging and improving Departmental/Tribal understanding and communication.
- 1.1.5 Open training programs to Tribal officials and Tribal staff represented in our inmate population when possible.
- 1.1.6 As directed by the Deputy Director, provide Tribes represented in the inmate population with reasonable notice of the development and revision of Department Orders, written instructions and procedures that are specific to incarcerated Tribal members.
- 1.1.7 As authorized by the Deputy Director, consult with representatives of Tribes represented in the inmate population when a question is raised regarding the validity of an incarcerated Tribal member's claim regarding Tribal practices and seek a solution that best accomplishes the interests of traditional Tribal practices and satisfies the Department's compelling safety and security interests.
- 1.1.8 Relay Tribal issues, including requests from Tribes represented in our inmate population for assistance or information from the Deputy Director to the appropriate Division Director as soon as possible.
- 1.1.9 Obtain approval from the Deputy Director before initiating contacts with Tribes.
- 1.1.10 Conduct activities on Tribal Land only as approved by the Deputy Director and authorized by appropriate Tribal officials.

1.2 The Native American Liaison shall:

- 1.2.1 Report directly to the Deputy Director on all matters regarding Tribal affairs.
- 1.2.2 Encourage representatives of Tribes to contact and visit incarcerated Tribal members to help them prepare for release and reintegration in the communities of Arizona as civil, productive citizens.

- 1.2.3 Identify and refer to the Deputy Director, Native American staff members and/or volunteers, whenever possible and appropriate, as subject matter experts to provide advice on Native American issues and interact with Tribes represented in our inmate populations.

{Original Signature on File}

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**CHARLES L. RYAN**  
**DIRECTOR**