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Law and Order Committee receives requested financial update report on Navajo casino funds for law enforcement services

WINDOW ROCK – The Law and Order Committee on Apr. 30 received a financial update report it had requested three weeks prior from the Navajo Nation Office of the Controller regarding the status of funds for casino police services.

The financial report was requested by LOC member Council Delegate Russell Begaye (Shiprock) on Apr. 8 after the LOC then received a status report on the Shiprock police district from acting Navajo chief of police Capt. Ivan Tsosie at a regular committee meeting held in Shiprock.

Capt. Tsosie informed the LOC that the police district had been unable to utilize compensation funds set aside by the Navajo Nation Gaming Enterprise for law enforcement services at Navajo casinos, as provided in a Memorandum of Agreement established a year ago between the NNGE and the Navajo Division of Public Safety.

“Capt. Tsosie said in his report at Shiprock that [the NDPS] knows the money is sitting there [in an account],” said Delegate Begaye, but the NDPS has been unable to use the funds which are needed to purchase essential equipment and supplies.

Under the scope of agreement, NDPS is to provide law enforcement presence at casino facilities operated by the Navajo gaming enterprise, which currently cites the Fire Rock Navajo Casino, Flowing Water Navajo Casino, and the Northern Edge Navajo Casino.

Further, the NNGE is to compensate NDPS for providing law enforcement presence pursuant to a Navajo Nation fund management plan by depositing monthly installments of \$18,000 for Fire Rock Navajo Casino and \$18,000 for both the Flow Water and Northern Edge Navajo Casinos.

Robert Willie, general accounting supervisor under the Office of the Controller, reported that as of Apr. 26, the gaming enterprise has deposited \$486,000 into a miscellaneous deposit account for NDPS.

Since March 2012, the gaming enterprise has deposited \$36,000 a month into that account.

“The reason why it is sitting in that account is because there is no account given, and there is no fund management plan in place to have expenses for these monies that are being deposited,” Willie said.

Once a fund management plan is in place and an account is identified, the accumulated funds will be transferred over to that account, Willie added.

Delegate Begaye said the Budget and Finance Committee would soon be considering the approval of a fund management plan, as it is currently going through the assigned committees for review as a part of the legislative process.

“As soon as Budget and Finance entertains it, the fund management plan will be in place, and an account will be set up,” Delegate Begaye said.

LOC vice chair Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí, Steamboat) recalled a recommendation being made in which NDPS was asked to seek a proprietary account.

“Would this [account] fall into that category?” Delegate Shepherd inquired.

According to Willie, an entity would need to make at least \$250,000 a year to be designated a proprietary account.

Additionally, the entity would have to be able to sustain itself financially, and all expenses such as personnel costs would need to be covered by revenue the entity collects.

“As long as the casinos are there, they’ll keep on having these agreements,” explained Willie. “So, it would meet the threshold as far as amount, but as far as covering all their own expenses, everything that they perform...all their expenses, would need to need to be in relation to supplementing those casinos.”

The Law and Order Committee voted to accept the report with a vote of three supporting and zero opposing (3-0).

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