

# United States Senate

July 25, 2024

Deputy Bureau Director Richard Melville  
Bureau of Indian Affairs Office of Justice Services  
Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Dear Deputy Bureau Director Melville,

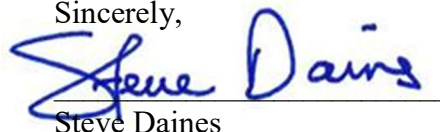
I write regarding serious public safety concerns with Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) detention facilities across Indian Country in Montana. I request timely information on the current operating status of BIA detention facilities in Montana, including contract status and operating bed space.

Recently, leadership from the Fort Belknap Indian Community indicated that the BIA has only been accepting individuals into custody who commit “serious offenses.” This poses a significant public safety risk as those who arrested for offenses not deemed as “serious” are released back into the community or kept into protective custody until they no longer pose a threat to the public or law enforcement officers. Detainees have also been released despite this action directly conflicting with Tribal court orders requiring incarceration. This erodes public trust in law enforcement and the tribal justice system, undermines Tribal sovereignty, and represents a serious safety risk to law abiding citizens, law enforcement officers, and those who break the law. I have also received reports from the Blackfeet Reservation and Northern Cheyenne Reservation that local BIA detention facilities are operating well below capacity, resulting in similar challenges.

I am also concerned with the BIA’s current practice of contracting with out-of-state detention facilities to house tribal members from Montana. I have received reports of detainees from Montana being transported to a facility in Oklahoma, a distance of over one thousand miles, due to facility constraints across multiple reservations in Montana. Tribal leaders have expressed that this has resulted in defendants who have completed their sentences being held beyond their release date until transportation back to Montana is made available by the BIA.

While I appreciate the inherent difficulty in rural policing and detention in Indian Country and the BIA-OJS’s attempts to overcome these challenges, I am concerned by these reports from across Montana. I urge the BIA to work with relevant county, state, and federal partners to address current criminal detention shortcomings immediately and appreciate the opportunity to assist the Bureau’s efforts.

Sincerely,



Steve Daines

United States Senator

CC: Bryan Newland, Assistant Secretary, U.S. Department of the Interior