

## **TRIBAL JAILS AREN'T READY FOR A WARMING WORLD EXTREME HEAT AND DECADES OF INADEQUATE FUNDING ARE PUTTING INDIGENOUS DETAINEES AT RISK**

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In any given year, thousands of people are incarcerated in dozens of detention facilities run by tribal nations or the Bureau of Indian Affairs. Often left out of research on climate and carceral facilities, the tribal prisoner population is one of the most invisible and vulnerable in the country.

Now, climate change threatens to make matters worse.

According to a *Grist* analysis, more than half of all tribal facilities could see at least 50 days per year in temperatures above 90 degrees Fahrenheit by the end of the century if emissions continue to grow at their current pace. Ten facilities could experience more than 150 days of this kind of heat. Yet many tribal detention centers do not have the infrastructure, or funding, to endure such extreme temperatures for that long. This kind of heat exposure is especially dangerous for those with preexisting conditions like high blood pressure, which Indigenous people [are more likely](#) to have than white people.

“Tribal court jails are the worst jails in the country. They’re worse than any facilities you’ll ever go to,” said Diego Urbina, a public defender for the Pueblo of Laguna. “I worked at a [veterinary] hospital when I was 15 years old, and the vet hospital had better facilities than we have out here.”

In the Pueblo of Laguna jail, just 45 minutes west of Albuquerque, New Mexico, the air conditioner was often down, according to Brandon Chavez, a Laguna citizen who has been detained multiple times over the past few years. Even when doors were left open for cross ventilation, the effort did little to blunt the hot desert air, Chavez said.

“Climate change and excessive heat factors into Pueblo planning for all aspects of Laguna government and the Laguna community,” officials from the Pueblo of Laguna wrote in an email to *Grist* and *Type Investigations*. When asked whether Laguna currently has plans to manage climate impacts like excessive heat, officials wrote, “The [detention facility’s] HVAC system is less than 10 years old and normally keeps the occupants warm in the colder months and cool in the hotter months. Malfunctions will occasionally happen and are quickly repaired.”

While New Mexico's Cibola County rarely sees a heat index over 90 degrees, both Chavez and Urbina said that the Laguna Tribal Detention Center, located there, can be unbearably hot. And temperatures are only expected to go up: According to data from the Union of Concerned Scientists, Cibola County — and the Laguna jail — could see about 50 days per year above 90 degrees by the end of the century if emissions and temperatures continue to rise at their current pace, a drastic change from the present day.

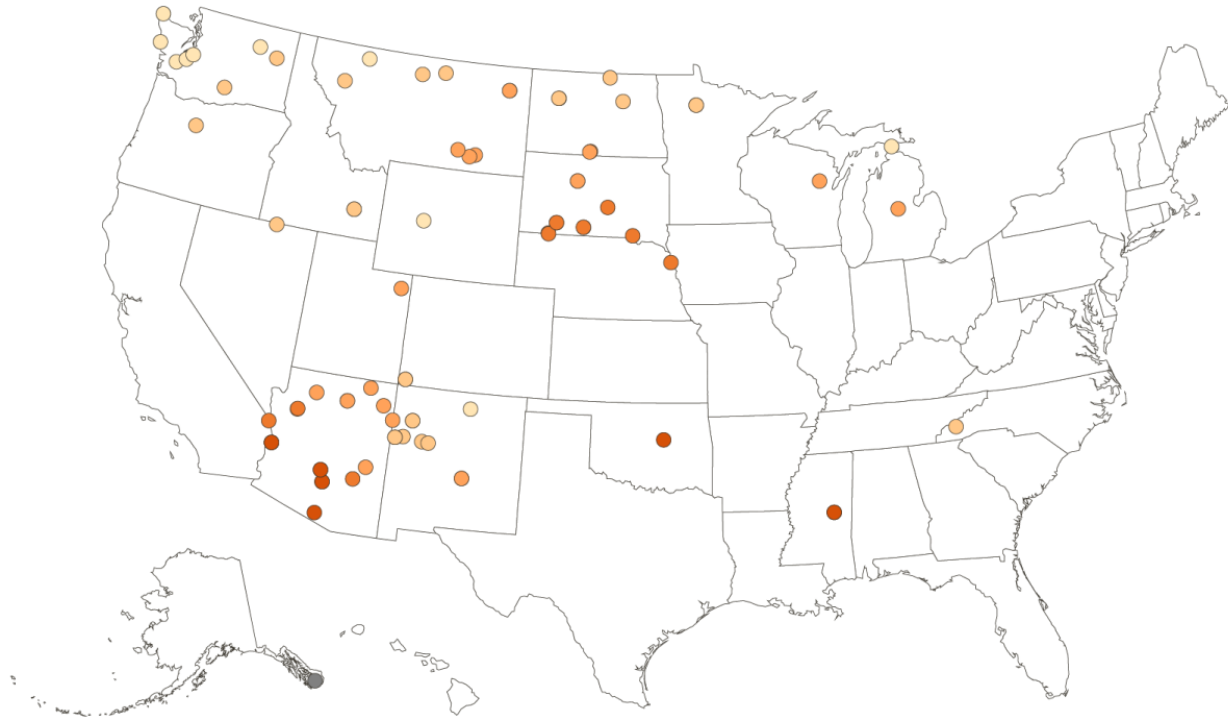
According to Chavez, the Laguna jail is already a grim place. “There was literally pipes exposed,” said Chavez. “There was mold on places, and we used to tell [the guards]. They didn't care. I've been into some pretty huge jails around some places, and nothing still compares to the mistreatment [at] my Pueblo jail.”

Urbina said his clients detained in the jail have complained about backed up toilets, overdue repairs, and overcrowding, including having to share a shower with 20-plus other people. “At one time, they packed that thing like sardines,” Urbina said of the Laguna jail.

## Even with rapid climate action, tribal detention facilities face growing heat risk

By the end of the century, roughly one-third of facilities would still experience over 50 days per year where the heat index reaches 90°F.

● 101+ days ● 51-100 days ● 26-50 days ● 11-25 days ● 1-10 days ● 0 days ● No data



Source: Union of Concerned Scientists; Carceral Ecologies Lab at the University of California, Los Angeles; Department of Homeland Security; Bureau of Indian Affairs  
Chart shows a rapid climate-action scenario and predictions for the end of the century.

**Grist**

[\(Grist / Jessie Blaeser\)](#)

In response, James Burson, an in-house attorney for the Pueblo of Laguna, told *Grist* and *Type* that a renovation of showers, toilets, and sinks in the facility was completed in February 2022.

Tribes have their own justice systems, including courts, law enforcement, jails, and prisons. In a given year, thousands of people are incarcerated in these detention facilities. In 2021, more than half of those detainees were held for non-violent offenses, and a majority had not been convicted of a crime.

Tribal jails have a long history of mismanagement. In 2004, the Department of Interior, which oversees the Bureau of Indian Affairs, issued a report that called the state of tribal jails a “national disgrace.” It examined everything from deaths in facilities, attempted suicides, and escapes — serious incidents that were not reported to supervisors 98 percent of the time — to

smaller issues including broken lights, malfunctioning cameras, faulty plumbing, and leaking water pumps. “Nothing less than a Herculean effort to turn these conditions around would be morally acceptable,” investigators wrote at the time.

In the aftermath of the report, funding for facilities increased, the percentage of certified officers grew, and new jails were built. However, multiple reports and investigations over the years have shown that little else has changed since 2004. According to an [NPR](#) report in June 2021, at least 19 people had died in tribal detention centers since 2016, while 1 out of 5 correctional officers had not completed required basic training. Reporters also highlighted facilities with broken pipes, dirty water, and other infrastructure problems.

"Under Interior's new leadership, we are seeking increased funding and conducting a comprehensive review of law enforcement policies, practices and resources to ensure that [Bureau of Indian Affairs] detention center staff are adequately trained, that our facilities are upgraded, and that we respect the rights and dignity of those within our system to the fullest extent," Darryl LaCounte, the director of the Bureau of Indian Affairs, or BIA, said in a written statement to NPR at the time.

In an [April 2023 report](#), the Office of Inspector General (OIG) highlighted serious health and safety concerns at three tribal detention facilities: San Carlos Apache Adult/Juvenile Detention Center, the White Mountain Apache Adult Detention Center, and the Tohono O’odham Adult Detention Facility. The report comes as part of an ongoing performance audit of BIA-funded or -operated detention programs, and says that the problems identified need immediate attention. Issues include holes in walls, broken air conditioning, nonoperational toilets and sinks, and moldy shower ceilings. Many of those challenges were included in a [2016 OIG report](#).

“The safety issues raised in this report are disturbing enough on their own, but the fact that they span multiple administrations is inexcusable,” House Natural Resources Committee Ranking Member Raúl M. Grijalva said of the 2023 report in a statement.

In 2022, [The Intercept](#) assessed the growing risk of extreme heat in jails and prisons across the United States. But of the roughly 6,500 facilities [The Intercept](#) analyzed, only 16 were tribal detention centers and jails, excluding the vast majority of tribal facilities across the country. [Grist](#) and [Type Investigations](#) built on [The Intercept’s](#) reporting to fill this gap.

Based on an analysis from the Union of Concerned Scientists, information collected via Freedom of Information Act requests from the BIA, and research conducted in partnership with the Carceral Ecologies Lab at the University of California, Los Angeles, we tracked heat risk for 81 tribal jails and prisons spread across 20 states.

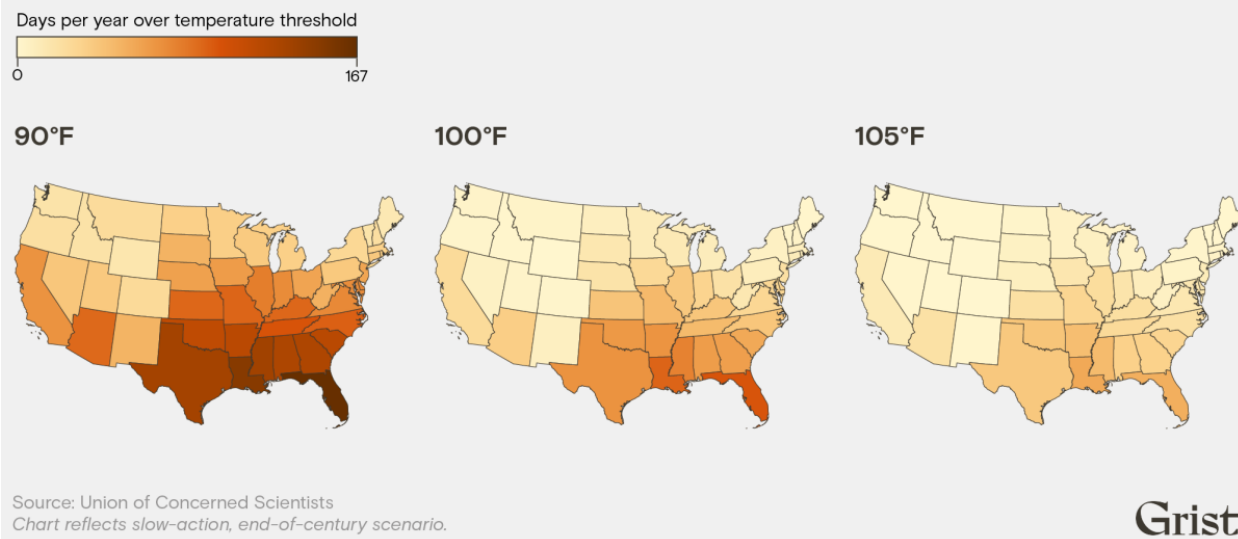
In 2019, the Union of Concerned Scientists published a county-by-county [analysis](#) of just how hot the contiguous U.S. could become under different levels of global climate action, from

rapid action to reduce global emissions to effectively no action. The researchers then looked at the heat index, or the “feels like” temperature, which takes both humidity and air temperature into account, to paint a holistic picture of how heat would actually be experienced by communities on the ground. The National Weather Service also uses the heat index when issuing advisories or excessive heat warnings.

The researchers found that by mid-century, under a no-action scenario, “the average number of days per year with a heat index above 100°F will more than double, while the number of days per year above 105°F will quadruple.” In other words, in just a few decades, dangerous heat will become much more commonplace unless aggressive action is taken to limit climate change.

### The country could face significant warming in the coming decades under a slow-action scenario

Even the states that have historically experienced few hot days could regularly experience a heat index of 90°F.



[\(Grist / Jessie Blaeser\)](#)

Jails across the country already face challenges when it comes to managing heat. The Intercept’s analysis found that “hundreds of thousands of incarcerated people are being subjected to prolonged periods of high heat every year.” Tribal jails are no different.

According to information Grist obtained through the Freedom of Information Act, or FOIA, most tribal facilities are in the western U.S., where climates tend to be arid or hot. Nearly 20 percent of tribal facilities already face more than 50 days per year with a heat index above 90 degrees — the point at which heatstroke and heat exhaustion become much greater risks, particularly for vulnerable groups, such as elderly and obese people, and those with preexisting health conditions.

Within 80 years, if emissions continue to grow at their current rate, 3 out of 4 tribal facilities could experience 50 days or more in those temperatures.

Hundred-degree temperatures are a key marker for the National Weather Service. Generally, heat advisories are issued once the heat index reaches 100 degrees for 48 hours. Just five tribal facilities typically experience more than 50 days per year where the heat index tops 100 degrees F. But at the world's current rate of emissions growth, that number will more than triple by the end of the century, with 17 tribal facilities experiencing 50 or more days per year where the heat index tops 100 degrees. Places like the Colorado River Indian Tribes Female Adult Detention Center and the Salt River Pima-Maricopa Department of Corrections Juvenile facility, located in Parker and Scottsdale, Arizona, respectively, could experience well over 100 days per year in 100-degree heat.

In states not historically considered “hot,” like Montana, Idaho, or Washington, tribal detention facilities could also see dramatic increases in excessive heat, according to Grist’s analysis. Facilities typically accustomed to experiencing only a day or two of temperatures above 90 degrees could see up to 24 days per year where the heat index tops 90, just within the next few decades.

“That ramp-up from zero to 10 [days out of the year] — that’s really significant for places where the infrastructure is less prepared,” said Kristina Dahl, the principal climate scientist for the Union of Concerned Scientists’ climate and energy program. “Generally, in any given year, heat kills more people in the U.S. than any other hazard like a hurricane, a flood, tornadoes, etc.”

Dahl and her fellow researchers have called for aggressive action to limit global warming, but for some communities in the U.S., more frequent extreme heat is inevitable.

Even if world leaders take rapid action to curb global temperature rise and reach goals set by the 2015 Paris Agreement, the number of tribal jails and detention centers experiencing more than 50 days over 90 degrees could increase by roughly 70 percent by the end of the century.

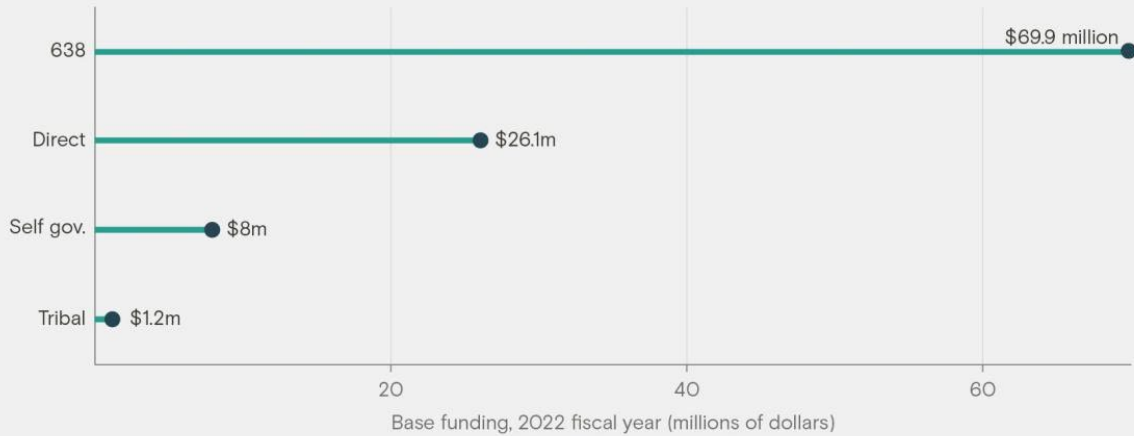
The Union of Concerned Scientists used statistical models to predict the number of days each county in the contiguous United States would experience temperatures above 90, 100, and 105 degrees F by the end of the century. But a county’s risk of experiencing extreme heat can change, depending on the degree to which world leaders are able to lower fossil fuel emissions and stop global warming.

A “rapid action” scenario represents the fulfillment of the goals set forth in the Paris climate accord, or limiting temperature rise to 3.6 degrees F above preindustrial temperatures.

Under the “slow action” scenario, greenhouse gas emissions will have declined by mid-century and temperature rise would be limited to roughly 4.3 degrees F by the start of the next century. Scientists consider this scenario to be the most likely.

## BIA spent \$106.4 million on detention and correctional facilities in 2021 and 2022

Median base funding per facility for both years was roughly \$1 million.



Source: BIA  
Chart reflects roughly 91% of funds directed toward facilities.

Grist

[\(Grist / Jessie Blaeser\)](#)

According to Grist’s analysis — which combines Union of Concerned Scientists’ data with information on detention center locations obtained via Freedom of Information Act requests — under this scenario, roughly one-third of tribal facilities would see more than 50 days per year with a heat index reaching at least 90 degrees F.

Roughly 14 percent would see more than 50 days with a heat index topping 100 degrees F.