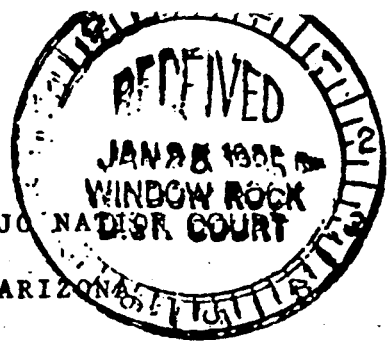


NAVAJO LEGAL AID AND DEFENDER SERVICE  
P. O. BOX 662  
WINDOW ROCK (NAVAJO NATION), ARIZONA 86515  
(602) 871-4941 Ext. 1370



DISTRICT COURT OF THE NAVAJO NATION  
DISTRICT OF WINDOW ROCK, ARIZONA

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GEORGE ALLEN, )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
ROBERT HENDERSON, et al )  
 )  
Respondents. )

NO. WR-

CONSENT DECREE

Allen v. Henderson



The respective parties having appeared before the Court and having agreed to the following terms of settlement and the Court being sufficiently advised;

IT IS HEREBY ORDERED that the named Petitioner, George Allen, and any other juvenile under the age of eighteen shall forthwith be released from their confinement in any jail of the Navajo Nation which houses adult prisoners.

IT IS HEREBY FURTHER ORDERED, that the Division of Public Safety of the Navajo Tribe is permanently prohibited and enjoined from incarcerating any juvenile in any jail facility within the Navajo Nation which houses adult prisoners.

IT IS HEREBY FURTHER ORDERED, that within thirty days of this date the Respondents herein will submit a plan, subject to the approval of this Court and all parties to this action, for the creation of a Juvenile Detention Facility to be located within the jurisdiction of the Navajo Nation.

IT IS HEREBY FURTHER ORDERED, that from this date forward the Respondents are permanently prohibited and enjoined

1 from detaining or entering into any agreement which would allow  
2 for the detention of any juvenile in any detention facility either  
3 within or outside the jurisdiction of the Navajo Nation which does  
4 not comply with all provisions of the Navajo Bill of Rights and 25  
5 U.S.C. 1302 et. seq.

6 IT IS HEREBY FURTHER ORDERED, that as minimum standards  
7 the Respondents are permanently prohibited and enjoined from  
8 detaining or contracting for the detention of any juvenile in any  
9 facility either within or outside the jurisdiction of the Navajo  
10 Nation which does not comply with recognized standards for the  
11 detention and treatment of juvenile offenders, including but not  
12 limited to the standards set forth below:


- 13 1) Under circumstances which would require the  
14 juveniles detention in an isolation cell;
- 15 2) Under circumstances which would prohibit contact  
16 visits with family, friends or counsel;
- 17 3) Under circumstances which would not provide daily  
18 exercise facilities adequate for adolescents;
- 19 4) Where hot water is not provided for showers and  
20 other hygienic purposes;
- 21 5) Where there are no avocational opportunities  
22 suitable for adolescents;
- 23 6) Where there are no opportunities for the detained  
24 juveniles to purchase personal items for their use;
- 25 7) Where there are no meaningful educational programs  
26 and counseling appropriate to insure that when the

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juvenile's period of detention has ended he will  
have been provided with the opportunities necessary  
to achieve a successful reintergration into Tribal  
society.

SO ORDERED this 28<sup>th</sup> day of January  
1985.

  
DISTRICT COURT JUDGE

  
FOR THE RESPONDENTS

  
FOR THE PETITIONER

  
FOR THE PETITIONER

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