



## **Archaeological Resource Investigations**

### **ARCHAEOLOGICAL DAMAGE ASSESSMENT CLASS**

#### **Class Description**

The Archaeological Resources Protection Act of 1979 (ARPA) requires assessment of archaeological damages for criminal prosecutions and civil penalties under the act. These assessments also are required for sentencing for archaeological violations under the new Cultural Heritage Guideline recently adopted by the United States Sentencing Commission. Archaeologists who may be called upon to provide assistance in archaeological violations cases on federal and Indian lands must be prepared to assess damages according to the legal standards established by ARPA and the act's uniform regulations. The ARPA archaeological damage assessment procedures also can be used effectively in dealing with violations of other laws, such as state archaeological protection statutes.

Archaeological Resource Investigations' five-day Archaeological Damage Assessment Class provides training on all aspects of the damage assessment process. The instructors for the class, Archaeologist Martin McAllister and Assistant United States Attorney Wayne Dance, are the recognized national experts on archaeological damage assessment. Topics covered in the class are:

- Field damage assessment procedures
- Determination of archaeological value and cost of restoration and repair (including the Society for American Archaeology "Professional Standards for the Determination of Archaeological Value")
- Archaeological damage assessment report preparation
- The role of the archaeologist in case prosecution
- Defense issues in archaeological violation cases
- The Cultural Heritage Sentencing Guideline

As shown in the accompanying class schedule, the class consists of:

- Lectures
- A field damage assessment exercise at damaged archaeological sites
- A value and cost determination and damage assessment report preparation exercise
- Presentation and critiques of the value and cost determinations and reports

The targeted participants for the class are professional archaeologists employed by federal, tribal and state land management agencies and professional contract archaeologists who may be called upon to carry out archaeological damage assessment.



**Archaeological Resource Investigations**

**ARCHAEOLOGICAL DAMAGE ASSESSMENT CLASS**

**Instruction By:  
Martin McAllister, Archaeologist Instructor,  
Wayne Dance, Attorney Instructor**

**Class Schedule**

**Day 1:**

- 8:00 - 9:00** Welcome, Introductions, and Discussion of Class Goals and Schedule: Class Host Representative(s), Mr. McAllister (Archaeologist Instructor) and Participants
- 9:00 - 12:00** Review of ARPA Archaeological Damage Assessment Procedures: Mr. McAllister
- 12:00 - 1:00** Travel to Damaged Site(s) and Lunch: Mr. McAllister and Participants
- 1:00 - 4:00** Site Examination, Damage Area Assignments and Field Damage Assessment by Participants: Individual Assistance by Mr. McAllister
- 4:00 - 5:00** Return Travel from Damaged Site(s)

**Day 2:**

- 8:00 - 9:00** Review of ARPA Damage Assessment Report Content: Mr. McAllister
- 9:00 - 12:00** Archaeological Value and Cost of Restoration and Repair Determination and Damage Assessment Report Preparation by Participants: Individual Assistance by Mr. McAllister
- 12:00 - 1:00** Lunch
- 1:00 - 5:00** Value and Cost Determination and Damage Assessment Report Preparation by Participants Continued: Individual Assistance by Mr. McAllister

**Day 3:**

- 8:00 - 9:00** Value and Cost Determination and Damage Assessment Report Preparation Progress Reports and Problems (Attendance Optional): Mr. McAllister
- 9:00 - 12:00** Value and Cost Determination and Damage Assessment Report Preparation by Participants Continued: Individual Assistance by Mr. McAllister
- 12:00 - 1:00** Lunch
- 1:00 - 5:00** Value and Cost Determination and Damage Assessment Report Preparation by Participants Continued and Completed: Individual Assistance by Mr. McAllister
- 5:00** Reports Submitted and Copied for Instructors and Participants

**Day 4:**

- 8:00 - 12:00** Damage Assessment Presentations by Participants (by Topic): Critiques by Mr. Mr. McAllister and Mr. Dance (Attorney Instructor)
- 12:00 - 1:00** Lunch
- 1:00 - 5:00** Damage Assessment Presentations by Participants (by Topic) Continued: Critiques by Mr. McAllister and Mr. Dance
- 5:00 - 5:45** Federal Sentencing Guidelines and the New Cultural Heritage Guideline: Mr. Dance

**Day 5:**

- 8:00 - 11:00** Damage Assessment Presentations by Participants (by Topic) Continued and Completed: Critiques by Mr. McAllister and Mr. Dance
- 11:00 - 12:00** The Role of the Archaeologist in Case Prosecution: Mr. Dance
- 12:00 - 1:00** Lunch
- 1:00 - 2:00** Defense Issues in Archaeological Violation Cases: Mr. Dance
- 2:00 - 3:00** Written Critiques and Class Conclusion: Participants, Mr. McAllister, Mr. Dance and Class Host Representative(s)