



RESOLUTION NO. 16-89-LKH

RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION

A Resolution entitled, *"Authorization to Apply for a Competitive Grant as Authorized by the Second Chance Act Smart Reentry Program, to Plan and Implement Effective and Evidence-based Reentry Practices and Service Delivery Systems from Incarceration to Community for FY 2016, in the Amount of \$1,000,000.00."*

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and,

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to delegate to the Tribal Court such judicial power and jurisdiction as may be necessary to realize the sovereign authority granted by the People in Article I of the Constitution; and

WHEREAS, Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedure of Tribal agencies; and

WHEREAS, The MHA Nation and tribal members are experiencing an increase of substance abuse from methamphetamines and heroin that impacts families and communities; including, creating an economic burden and hardship on the Tribe and its programs such as the courts, law enforcement, social services, and healthcare; and

WHEREAS, The Tribal Business Council acknowledges and recognizes that in addition to incarceration and treatment, a "re-entry" program is needed to reduce recidivism rates and to assure successful reintegration into the communities; and

WHEREAS, Presently, there are approximately 100 MHA Nation tribal members in the Bismarck/Mandan area on State probation, and 80% to 85% out of 100 have been incarcerated on drug related charges, and are in need of a support system upon re-entry and eventual return to the MHA Nation; and

WHEREAS, Statistics from the National Institute of Justice prove that 56.7% of individuals will be re-arrested within one of year of being released from incarceration and, within five years, 76.6% of prisoners will be rearrested.



RESOLUTION NO. 16-89-LKH

- WHEREAS,** A high percentage, if not all, of the above identified criminal offenders will return to the MHA Nation and will, most likely, resume their life of drug addiction, drug trafficking, and other drug related criminal behaviors if they do not have the services of a reentry program; and
- WHEREAS,** The source of the problem for high recidivism rates lies with the fact that these individuals have no support system upon their release from incarceration and reentry programs have a much greater success rate with respect to recidivism as opposed to simply having a probation officer perform random drug testing; and
- WHEREAS,** The Tribal Business Council acknowledges that without an effective re-entry program to reduce the recidivism rates, it will come as a great price to the Tribe and the Tribe will continue to spend millions of dollars on healthcare, social service related programs, law enforcement, and judicial services; and
- WHEREAS,** The Tribal Business Council recognizes that its priority is to ensure the safety and well-being of individual tribal members and families; including, providing safe communities for all members of the MHA Nation; and
- WHEREAS,** The Warriors of the 21st Century Re-Entry Program can provide assistance to tribal members who are on probation, or recently released from incarceration, for the purposes of determining their individual needs and for the purposes of developing case management and coordinating services for housing, job training, job placement, literacy skills development, GED and higher educational courses, parenting classes, life skills, spiritual needs, and other sources of support; and
- WHEREAS,** The Warriors of the 21st Century Re-Entry Program, in order to ensure that program participants have the tools necessary to succeed upon return to the MHA Nation, will develop a reentry strategic plan describing the long-term course of action, including quantifiable five (5) year performance goals of increasing public safety and reducing recidivism; and
- WHEREAS,** The Reentry Program seeks to further its mission by applying for additional grant funds to better assist its target market with successful reentry and reduce recidivism rates; and
- WHEREAS,** The U.S Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), is seeking to fund five (5) applicants in the amount of \$1 million, commencing October 1, 2016; provided the applicant has a commitment for 50% matching funds.
- WHEREAS,** The Warriors of the 21st Century Reentry Program has done extensive work in meeting the Second Chance Act funding requirements by establishing formal partnerships for reentry services, maintaining statistics, gathering letters of



RESOLUTION NO. 16-89-LKH

support, leveraging partnerships with health and treatment facilities, housing, probation and correctional departments by entering into Memorandum of Understandings and obtaining letters of support; and

NOW THERE FOR IT BE RESOLVED, the Tribal Business Council finds that it is in the best interest of the tribe to authorize the Warriors of the 21st Century Reentry Program to apply for the U.S. Department of Justice- BJA-2016-9207 "Smart Reentry: Focus on Evidenced-Based Strategies for Successful Reentry from Incarceration to Community" in the amount of \$1,000,000.00, that requires a 50% Tribal match over a 3 year project period.

BE IT FURTHER RESOLVED, the Tribal Business Council, pursuant to its express Constitutional power and authority, hereby provides a budget for the Warriors of the 21st Century Re-Entry Program to focus on the target population as defined by the grant requirements in providing services to former inmates in order to reduce the recidivism rate.

BE IT FURTHER RESOLVED, the grant funds will be administered by the Warriors of the 21st Century Reentry Program and overseen by the MHA Nation Justice Commission.

BE IT FINALLY RESOLVED, The Re-Entry Program shall adhere to the principles of excellence in good government and accountability; promote fiscal responsibility; operate with consistency, high ethical standards and clarity; and, ensure fairness in the implementation of the Reentry Program.

(SIGNATURE PAGE TO FOLLOW)



CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12th day of May 2016, that the foregoing Resolution was duly adopted at such Regular Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [X] Not voting.

Dated this 12th day of May, 2016.

ATTEST:

L. Kenneth Hall
Tribal Secretary, L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes

Mark N. Fox
Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes

