



**MANDAN, HIDATSA, & ARIKARA NATION**  
*Three Affiliated Tribes, Fort Berthold Indian Reservation*  
*404 Frontage Road, New Town, North Dakota 58763-9402*  
**JUDICIAL MEETING**  
**Meeting No. 02-03-RP**  
**MAY 07, 2003**

**01. CALL TO ORDER**

Committee Chairman Packineau called the meeting to order at 1:20 p.m.

**02. ROLL CALL:**

Members present: Committee Chairman Mervin Packineau; Councilman Wells, and Councilman Wolf.

**03. APPROVAL OF THE AGENDA**

Councilman Wells moved to approve of the agenda as presented. Councilman Wolf seconded the motion.

**VOTE:** 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**04. APPROVAL OF MINUTES**

Councilman Wolf moved to approve the minutes of January 13, 2003 as presented. Councilman Wells seconded the motion.

**VOTE:** 3 Ayes, 3 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**05. FORT BERTHOLD TRIBAL COURT**

**06. LAW ENFORCEMENT: Nelson Heart and Marty Foote**

- Narcotics Reservation-wide
- Drug Problem, Reservation-wide
- The Law Enforcement will meet in closed session during the next Judicial Meeting regarding brainstorming on prevention of drug use.
- City of New Town police officers are cross-deputized, no other tribal police officers are cross-deputized.
- Legal Counsel, Tom Disselhorst is working on a consultant basis to finish projects.
- Bureau of Indian Affairs, Jan Morley works for the U.S. Attorney's Office in Bismarck, ND, and could be used as a contact.
- Double Jeopardy, can't be charged in Federal Court

**MOTION:** Councilman Wells moved to hire Mr. Marvel Heart as the Four Bears Districts Cops Fast Officer. Councilman Wolf seconded the motion.

**VOTE:** 3 Ayes, 0 Nays, 0 Abstention, 0 Not voting. Motion carried.

06. SOBRIETY CHECKS

Jodi Johnson, Injury Prevention Officer is requesting authorization to conduct a Sobriety Check Reservation wide.

- Only alcohol and drug related
- Can't ask for driver's license and insurance policy
- Seat belt citing only after probable cost

MOTION: Councilman Wells moved to bring this issue to the full Tribal Business Council Meeting on May 16, 2003. Councilman Wolf seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

06. IRIS JACKSON; CLOSED SESSION

07. AVALON BECKY KNIGHT REQUEST:

- Native American people rights are violated with Tribal Court operating under three codes that are not uniform.

Councilman Wells moved to direct the Tribal Court to produce a copy of the tape to Becky Knight according to the Indian Civil Rights Act, the only changes that can be made are through a Resolution passed to the Business Council, and a copy should be in the resolutions. Councilman Wolf seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

LETTER; PAY SCHEDULE FOR TRIBAL COURT:

Councilman Wells wrote a letter to Chief of Police, Felix regarding a set pay rate up for the police officer that is employed with the Cops Fast Program. The information that he received was that salaries of officers were going to be reduced to the entry level wage.

08. COPS FAST PROGRAM:

Councilman Wells moved to have the Legal Department overlook the pay rate of the Cop's Fast Program. Councilman Wolf seconded the motion,

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

09. TRIBAL COURT REQUESTS: Judge Conklin

- Disorderly conduct restraining order language
- Mortgage foreclosure: TBC Agenda: May 16, 2003, Provision in the Tribal Code

10. MARILYN BENSON

She is leasing a section of land to place her trailer home on and has become delinquent. The lesser is threatening to foreclose on her trailer and sell it for past due rent. She is asking for a 30-day extension, but can't get any assistance from the Tribal Court or legal assistance. The court date is rescheduled for May 08, 2003.

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The meeting recessed at 3:35 p.m.

Submitted by,

Ardel Jean Baker, Recording Secretary

CERTIFICATION OF MINUTES

The undersigned, as Chairman of the Judicial Committee of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council's JUDICIAL COMMITTEE is composed of THREE members; of whom 3 members constitute a quorum. 3 Members were present at a JUDICIAL Meeting thereof duly called, noticed, convened, and held on the 9 day of June 2003, whereupon the Three Affiliated Tribes Recording Secretary presented the foregoing minutes for approval.

Said minutes were duly approved as amended by the affirmative vote of 3 Members, 0 Members opposed, 0 Members abstained, 0 Members not voting. Motion carried

Chairman (X) Voting                      () Not voting

Submitted by,

-----  
Ardel Jean Baker, Recording Secretary  
Tribal Business Council, Three Affiliated Tribes

Date -----

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Mervin Packineau; Judicial Committee Chairman  
Tribal Business Council, Three Affiliated Tribes

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Date

The meeting recessed at 3:35 p.m.

Submitted by,

Ardel Jean Baker, Recording Secretary



**CERTIFICATION OF MINUTES**

The undersigned, as Committee Chairman of the Judicial/Alcohol & Drug Committee of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Judicial/Alcohol & Drug Committee is composed of three (3) members, of whom three (3) constitute a quorum. 3 members were present at a Judicial/Alcohol & Drug Committee meeting thereof duly called, noticed, convened and held on the 9 day of June, 2003 whereupon the Three Affiliated Tribes Committee Secretary presented the foregoing minutes for approval.

Said minutes of May 7, 2003 were duly approved by the affirmative vote of 3 members,        members opposed,        members abstaining,        members not voting.

Submitted by: Connie Fox  
Connie Fox/Recording Secretary

9-2-03  
Date

Concurred by: Mervin Packineau  
Mervin Packineau/Chairman of  
Judicial/Alcohol & Drug Committee

9-2-03  
Date

ATTEST:

Randy Phelan  
Randy Phelan, Executive Secretary,  
Tribal Business Council of the  
Three Affiliated Tribes

5-25-04  
Date