

**Mandan, Hidatsa, & Arikara Nation**  
*Three Affiliated Tribes\*Fort Berthold Indian Reservation*  
404 Frontage road\*New Town, North Dakota 58763-9402



**JUDICIAL/DRUG & ALCOHOL COMMITTEE MEETING**

**Meeting 04-01-RP**

**January 26<sup>th</sup>, 2004**

**01. CALL TO ORDER:**

Committee Chairman Spotted Bear called the meeting to order at 10:45 a.m.

**02. ROLL CALL:**

Councilman Wells, Councilman Gillette, Councilman Spotted Bear quorum is established.

**03. APPROVAL OF AGENDA:**

Councilman Gillette moved for approval the agenda, Councilman Wells seconded the motion.

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

**04. APPROVAL OF MINUTES: June 9, 2003 and September 10, 2003 Minutes**

Councilman Gillette moved for approval the June 9, 2003 minutes, Councilman Wells seconded the motion.

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

Councilman Gillette moved for approval of the September 10, 2003 minute's Councilman Wells seconded the motion.

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

**05. LAW ENFORCEMENT: (*Frank Felix-Nelson Heart*)**

Frank Felix reported:

- Sobriety Check Point was successful on a national level,
- Two cases of Elder Abused reported to Law Enforcement and referred to Elderly Program

**Elder Abuse Monitoring:**

Councilman Gillette moved for approval to direct the Elder Organization-Marilyn Yellow Bird-Baker that she require segment staff to monthly monitor elders by regular home visit and to assist the Judicial/Drug & Alcohol Committee to develop a elder safety/home care procedure for approval by the Tribal Business Council. Councilman Wells seconded the motion.

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

Councilman Gillette moved for approval to direct the CHR Director to coordinate a home visit schedule with the Elders Organization to ensure coverage and avoid conflict of schedules. Councilman Wells seconded the motion.

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

Discussion: Councilman Gillette requested that a letter be drafted for Committee Chairman Spotted Bear's signature on it.

-Officers have noted that there are tribal and government vehicles being utilized during off-duty hours.

Councilman Wells moved to re-enforce the Tribal Resolution# 00-67-DSB on the misuse of Tribal & Government Vehicles and to provide a copy to Law Enforcement. Councilman Gillette seconded the motion.

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

- Drug Cases there are several drug busts have been made recently and there are currently seventeen targets in the New Town area for drug activity.

**-COPS FAST OFFICERS:**

Councilman Wells moved for approval of the temporary rehire of Todd Moquino as Four Bears Cops Fast Officer until advertised and filled at previous rate effective immediately. Councilman Gillette seconded the motion.

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

Councilman Gillette moved for approval to issue a letter to the Bureau of Indian Affairs that the Fort Berthold Cops Fast Officers be last to be called for outside duty assignments with concurrence by Chairman Tex G. Hall. Councilman Wells seconded the motion.

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

Councilman Wells suggested that the Judicial Committee, Law Enforcement get together with the Belcourt Tribe and meet on the drug issues, share a lot of their drug trafficking from there is coming over here.

**GAMING LICENSES:**

Councilman Gillette directed the TAT Legal Department to review the list of individuals that are under pending investigation for reassignment from positions that involved handling money until investigation is finalized.

Councilman Gillette moved for approval to authorize Nelson Heart to review and present a budget request utilizing the existing grant staff to identify grant-funding sources. Councilman Wells seconded the motion.

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

06. **TRIBAL COURT:** *(El Marie Conklin) Not present at meeting*

07. **JUVENILG UPDATE:** *(Jimmy Johnson) Not present at the meeting*

08. **CIRCLE OF LIFE:** *(Bruce Gillette) Not present at the meeting*

09. **INJURY PREVENTION:** *(Jody Johnson)*

Jody Johnson provided an update on the Sobriety Check Point that is the first conducted in over 15 years on December 31<sup>st</sup>, from 3:00 to 5:00 p.m. it went very well. We stopped a total of 92 vehicles with no DUI with a total of 9 officers this involved (Mountrail County, North Dakota State Highway Department, New Town Police Department, BIA Police, Tribal Police) to ensure the safety of all who approached and were stopped at the check point. This Sobriety Check point event is a significant accomplishment in the Aberdeen Area. We are requesting the continued support of the Judicial Committee to conduct future checkpoints on the Reservation to keep our people safe. A yearly checkpoint should be done on the reservation; we had good comments from the public about the Sobriety Check Point. The Law Enforcement should decide on when they want to conduct a Sobriety Check not for the Judicial Committee to decide this.

10. **PARSHALL RESOURCE CENTER:** *(Amy Parshall)*

To inform the committee two board members Lavonne Bruce and Noreen Two Crow, terms were up at the end of December. The names submitted to fill the two board member appointments are: Elgin Mahto, Bryon Young Bird, Carroll Howling Wolf and Monica Dixon.

Councilman Gillette nominated to have Elgin Mahto and Bryon Young Bird to fill the two open slots for Board Members. Councilman Wells seconded the motion.

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

**DETOX CENTER UPDATE:** *(Jerry Irwin)*

The Center has been open for eight (8) months and has provided services for 101 people, (72 males, 29 females) and assisted the Law Enforcement on several occasions with teenagers. The center has been working with other programs on a mini-grant. The next time we come back to the Committee we have some amendments to the public intoxication law that will help us deal with incoming clients into the center.

11. OTHER BUSINESS:

- a). Gertrude Sillitti – Complaint on Tribal Court-Not present at the meeting.
- b). George Good Bear – Compliant on Police Officers (Closed Session)
- c). Jeanette Delacerda – Compliant  
In regards to a Restraining Order pertaining to her husband and on the Court and confidential information getting out. The Judicial Committee will refer this to the new Tribal Court Administrator.

12. ADJOURNED:

Councilman Gillette motion to adjourn Councilman Wells seconded the motion. Meeting adjourned at 1:00 p.m.

CERTIFICATION OF MINUTES

The undersigned, as Committee Chairman of the Judicial/Drug & Alcohol & Drug Committee of the Three Affiliated Tribes of the Fort Berthold Reservation hereby certify that the Judicial/Drug & Alcohol & Committee is composed of three (3) members, of whom three (3) constitute a quorum 3 members were present at a Judicial/Drug & Alcohol & Drug Committee meeting thereof duly called, noticed convened and held on the day of 24 of March, 2004 whereupon the Three Affiliated Tribes Committee Secretary presented the foregoing minutes for approval.

Said minutes of January 26, 2004 were duly approved by the affirmative vote of 3 members approved, 0 members opposed, 0 members abstaining, 0 members not voting.

Submitted by: Connie Fox  
Connie Fox/Committee Secretary

4-21-04  
Date

Concurred by: Daylon Spotted Bear  
Chairman Daylon Spotted Bear of the  
Judicial/Drug & Alcohol Committee

4-21-04  
Date

ATTEST: Randy Phelan  
Randy Phelan, Executive Secretary  
Tribal Business Council

5-24-04  
Date