

JUDICIAL COMMITTEE

February 16, 2005

NO. 05-02-MP

JUDICIAL DRUG & ALCOHOL COMMITTEE MEETING

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01. **Call meeting to order @ 3:44 PM**
02. **Roll Call: Councilman Spotted Bear, Councilman Hale, Chairman Packineau**
03. **Others:** Mark Fox, Michael Young Bird, Charlene Knight, El Marie Conklin, Frank Felix, Pembina Yellow Bird, Fred Baker, Bill Woods
04. **Approval of Agenda**
Additions: 8-A Councilman Spotted Bear
05. **Domestic Violence-Roberta Crows Breast/Tira Wilkinson**
Chapter 5-18 domestic Violence code
Councilman Packineau asks if this is a new code or and up date, Roberta states that it is new code that was modeled after other tribes. It was brought to the council about 5 years ago. Tira Wilkinson suggested to Roberta that it would be a good idea for different agencies to review the code. The review was to make sure everyone understood and how they could make it work together by implementing the code work together implementing the code to have a meeting.
- Recommendations by Chairman Packineau to take it back to review with other agencies to better understand the code. Ms. Crows Breast agreed to recommendation. Chairman Packineau for the review process and give to look over and will pass at next Judicial and forward on the next Tribal Council meeting. Chairman Packineau said it will give her time to review and get with other agencies and will pass at next judicial meeting.
- Tira Wilkinson also included in the packet that there are previsions that will go into the criminal code for stalking and interference with emergency phone calls. She visited with the agencies about that and felt that those two criminal provisions in the code. Also, the domestic violence disorderly conduct restraining order that Councilman Spotted Bear asked her to review is in there for information.
- Chairman Packineau suggests putting a packet in each of the Councilman's boxes for them to review. We will forward to next council or pass it before next Judicial.
06. **Law Enforcement: Frank Felix/Nelson Heart**
Mr. Felix feels that this issue is serious but feels that Judicial needs to take a look at and possibly present that to full council. The offenses committing crimes by

non-natives on the reservation. We have no hold or detention facilities for them right now. What we are saying right now is it is okay for a non-native to come on the reservation and beat up our women. It is becoming a real problem and an incident happen last week. The issue was taken all the way to Central office. We do not have the authority to hold non-natives.

Frank would like to suggest to Mr. McClure/ or acting director to show in writing to NOT to detain or hold non-natives pending investigation. We have to go along with that but don't agree with it. When cases arrive there is alcohol involved we need to put these non-natives while they sober up. Where do we go with these issues when non-natives come on to the reservation?

Bring back to Next Judicial and forward to Full Council

B. Extradition-Frank Felix

An individual waive their rights-subject on reservation that are terrorizing our school and what not. The ran a check on this individual and he is wanted in another state. They ware willing to come and get him. They have a international team is willing to come after him but they will not come after him unless he is detained. This individual has paper work he signed to waive his rights for extradition. We have an extradition policy and a procedure in place for the tribe. This policy is to safe guard our sovereignty for the Reservation. Wants to know if we are going to honor that?

Forward on to Full Council

06. PARSHALL RESOURCE CENTER & TRANSITIONAL LIVING:

Karmen Taft

- Will be doing power point to Full council meeting
- Concerned with purchase order stacks in Finance.
- Alcohol Tax-looking into for information

07. TRIBAL COURT:

- Renewal of attorney license
- Drug Court planning initiative-Training in April in AL. identified 5 people to be a part of the training.
- Juvenile Court Personnel hired. With positions being filled are help to do more with Juvenile
- NIGA-attend conference in Phonies AZ.-to helps other tribes and jurisdiction Protection orders.
- Request to close the court one hour early on Friday's Close @ 3:30 Friday afternoon

Councilman Hale feels that it is internal decision and don't feel it needs a motion.

Councilman Spotted Bear- Would like information on electric motor cycle and the law on the kids riding them. Motor vehicle considered over 50 horse power is qualified to have a license.

08. **OTHER BUSINESS**

A. Mark N. Fox/ Mike Young Bird

Mark N. Fox-Summary Report

*Motion by Councilman Hale for Mark N. Fox to find a consultant to help
Seconded by Councilman Spotted Bear*

Discussion: No Discussion

Vote: Motion Carried 3-0

- Recruitments/will have an open house to try to recruit more to fill positions
- You are hired by Tribal Council contingent on passing all tests until test come back for review.
- Work ethic-no calls/no shows attribute a point system to that. We have evaluated them and determine if they are cut out to be Correctional Officers.
- Work Release-Using the New Town jail contingent on bringing on more staff.
- Clarification on hiring Mark N. Fox for 8 hours. Mark will put a proposal together and have Barlow take a look at it.

Administrator: Michael B. Young Bird

- Update-Dr. Harchenko with juvenile facility
- Juvenile side clarification on hiring Sergeants
- Request Forms-Aberdeen Policy & Procedures for juveniles
- Wants to know what he has to do to get the Juvenile side open due to all compliance issues that have already been covered.
- Waiting for Formal response Regional Detention Specialist- Greta Baker pending to get the Juvenile center open.

Recommendation from Rich Mayer to adjourn @ 6:00 pm

Councilman Hale moved to adjourn meeting, Seconded by Councilman Spotted Bear

Discussion: No Discussion

Vote: Motion Carried 3-0


Meeting adjourned @ 6:00 pm

CERTIFICATION

Dated this 27 day of April, 2005.

ATTEST:


Britnee J. Fox/Committee Secretary


Mervin Packineau-Chairman of Judicial
Committee

